



# THE INDIAN ARMS ACT MANUAL,

CONTAINING

THE INDIAN ARMS ACT, XI OF 1878,  
AS AMENDED BY ACTS XX OF 1919 AND XLIX OF 1920,  
AND THE INDIAN ARMS RULES, 1924

WITH

NOTES AND RULINGS OF THE HIGH COURTS,

TOGETHER WITH

Rules and Orders of the Government of India and of  
Local Governments.

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BY

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[ *Retired Superintendent, Home Department, Government of India* ]

The only work on the subject published with the permission  
of the Home Department, Government of India,

and approved by the Governments of

MADRAS BOMBAY UNITED PROVINCES, PUNJAB, BIHAR AND ORISSA, ETC

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# THE INDIAN ARMS ACT MANUAL.

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DEDICATED,

with kind permission,

TO

Sir Henry WHEELER, K.C.S.I., K.C.I.E., I.C.S., (Retd.),

*Ex-Governor of Bihar and Orissa,*

MEMBER, INDIA COUNCIL, LONDON.





## PREFACE.

In presenting the Seventh Edition of the Indian Arms Act Manual the Compiler again tenders his grateful thanks to the Governments of Madras, Bombay, United Provinces, Punjab, Bihar and Orissa, the Chief Commissioners of the N.-W. F. Province and Delhi, the Inspectors-General of Police Madras, Bombay, Punjab, and Bihar and Orissa and also to the High Court, Lahore, who have kindly extended their patronage and commended the previous editions to the notice of the officers subordinate to them in their respective provinces.

2. In preparing this edition no efforts have been spared to make it as complete and accurate as possible, so far as the Rules and Notes (head-notes) are concerned. The book has taken nearly ten months in passing through the Press. The amendments which were made in the Rules during this period are, therefore, included in the *Addenda and Corrigenda*, thus bringing the Indian Arms Rules, 1924, corrected up to date (August 1928).

3. It will also be observed from the "List of Contents" that the book has been considerably enlarged by the inclusion of the following additional Rules and Orders :—

(1) Orders relating to the procedure for reporting the loss, theft and recoveries of firearms, (page 186).

(2) Instructions regarding the grant of shooting passes to sportsmen, (page 187).

(3) The British Baluchistan Arms Rules, 1927, (page 207).

(4) and (5) The <sup>Bangalore</sup><sub>Baroda</sub> Arms Rules, 1924, (page 221).

(6) The Assam Local Rules and Orders, (page 393), have been compiled in a consolidated form somewhat different to that contained in the Assam Manual published in 1927, (the statements and tables having been omitted).

(7) Army Orders issued in May 1928, regarding the grant of "Arms Licences for Serving Soldiers" (entry No. 11 of the *Addenda*) which is connected with Note No. (2) of rule 33, (page 107) and Appendix C to United Provinces Rules (page 287).

4. The Local Rules and Orders of Bengal and United Provinces are embodied almost in *extenso*, as published in their respective Manuals, but with such alterations and modifications as are considered suitable for the purposes of this compilation. It is regretted that a few misprints have crept in the book and those of importance have been shown in the *Addenda and Corrigenda*. The Compiler will, however, be grateful if any omissions or errors found in the Manual are brought to his notice for inclusion in the list of subsequent Correction Lists which may be found necessary to publish in future, in case there is a demand for such lists.

JUBBULPUR,

The 31st August, 1928.

G. K. ROY.

## ADDENDA AND CORRIGENDA.

1. *Page 3 Lines 27 and 28.* For the words "20th Sept. 1920" Read "20th Sept. 1922."

2. *Page 44, Note (30), Line 2.* For the words "A bottle aze," read "A battle-axe."

3. *Page 54, Line 15.* For the words "Indian Arms Rules 1224" Read "Indian Arms Rules, 1924."

4. *Page 61.* Marginal reference to section 18. For "Cancelling as suspension of licence," Read "Cancelling or suspension of licence."

5. *Page 81. Sub-para. (1) below "Assam"* For figures "Rs. 100" opposite to "Rifles revolvers and any class of modern pistol" Read "Rs. 200."

6. *Page 88. Rule 3. Cancel Note (3) relating to Raja Sri Partab Bahadur Singh of Haraha.* (Notn No. F-21-XXXIII-27 dated the 9th April 1928.)

7. *Page 89, Rule 7.* For clauses (a) and (b) substitute—

(a) (i) of rifles of '303 or of '450 bore or of parts of or fittings for rifles of such bores or, save as otherwise provided by rule 38, of ammunition which can be fired from such rifles ; or

(ii) of rifles of any other bore containing the following components capable of use in rifles of '303 or of '450 bore, namely, actions, breech blocks, breech bolts, bodies, magazine cases, cocking pieces and breech bolt heads ; or

(iii) of pistols or revolvers of '441, '455 or any intermediate bore, or of parts of or fittings for pistols or revolvers of such bores ; or save as otherwise provided by rule 38, of ammunition which can be fired from such pistols or revolvers ; or

(iv) of appliances, the object of which is the silencing of firearms ; or

(b) save with the previous sanction of the Governor General in Council, of rifles other than those specified in clause (a), or of parts of, or fittings for, rifles other than those so specified, or

(Notn. No. F. 21-53-27 date the 11th April 1928.)

8. *Page 91* The first line commencing with the word "Note" may be numbered as "(7)."

9. *Page 106, Rule 33.* In clause (i) of the proviso to sub-rule (i) for the words and figures "rifles of '303 or '450 bore or of pistols or revolvers of '441, '455 or any intermediate bore or of ammunition for the same," substitute—

such rifles, pistols or revolvers as are specified in clause (a) of sub-rule (1) of rule 7, or of ammunition for rifles of '303 or '450 bore or for pistols or revolvers of '441, '455 or any intermediate bore (Notn. No. F-21-53-27 dated the 11th April 1928.)

10. *Page 106, Rule 33.* In clause (ii) of the proviso to sub-rule (1), for the words "rifles, pistols or revolvers of such bores," substitute—

rifles of '303 or '450 bore or for pistols or revolvers of '441, '455 or any intermediate bore (Notn. No. F-21-53-27 dated the 11th April 1928.)

11 Page 107, Rule 33 Add as Nte—

(2 A) I A O 303 of May 1928 —Arms Licences for Serving Soldiers —Instances of the indiscriminate issue of recommendations by Officers Commanding Indian Units for the grant of arms licences to serving soldiers particularly in Districts where large numbers of such men reside have been brought to the notice of the Government of India

This has caused considerable embarrassment to the Civil Authorities responsible for the issue of licences. In many districts it is imperative to restrict the number of licences granted, either because the total number of licensed weapons in the district is already excessive or for other reasons. Consequently if the number of recommendations by Commanding Officers is excessive, it becomes impossible for the Civil Authorities to give such recommendations the consideration to which they would normally be entitled.

Commanding Officers must, therefore, take particular care in the issue of recommendations for licences to soldiers each case being dealt with on its merits. Such recommendations will be made in a definite form signed by the Officer Commanding the Unit at the time, and contain a certificate that the officer is satisfied that the arms are genuinely required for sporting purposes or the protection of crops.

2 It has also been represented that in certain cases firearms of prohibited bore have been presented by Commanding Officers to serving soldiers and Indian Officers without any intimation of this effect being sent to the Civil Authorities concerned.

The rules on the subject of the disposal of arms are contained in para 1 of Appendix III Regulations for the Army in India. On such presentation being of ammunition will be sent to the Deputy the Indian Officer or soldier resides, and actual the proposed recipient is in possession of a

12. Page 112 Rule 34 In clause (a) of the proviso to sub-rule (1), for the words and figures "rifles of 303 or 450 bore or of pistols or revolvers of '441, '455 or any intermediate bore or of ammunition for the same, substitute—

Such rifles, pistols or revolvers as are specified in clause (a) of sub rule (1) of rule 7, or of ammunition for rifles of '303 or 450 bore or for pistols or revolvers of '441, 455 or any intermediate bore. (Notn No F-21-53-27 dated the 11th April 1928)

13 Page 112 Rule 34 In clause (b) of the proviso to sub-rule (1), for the words "rifles, pistols or revolvers of such bore," substitute—

rifles of 303 or 450 bore or for pistols or revolvers of '441, 455 or any intermediate bore (Notn. No F-21-53 27 dated the 11th April 1928)

14 Page 122, Schedule I For clause (d) in each of the entries in the second column relating to

(d) such of  
rule 7 (and amr om  
a pistol or re nto  
British India .

15 Page 147 In line 3 of Note (6) for ( XI of 1178 ) read ( XI of 1878 )

16 Page 157, Schedule VI In the third column of entry (11) (a) for clauses (iii) and (iv) substitute—

(iii) Save as hereinafter provided such rifles pistols or revolvers as are specified in clause (a) of sub rule (1) of rule 7, or

(iv) Save as hereinafter provided, ball ammunition which can be fired from rifles of 303 or 450 bore or from pistols or revolvers of 441 455 or any intermediate bore (Notn No F 21 53 27 dated the 11th April )

17. *Page 261, United Provinces Rule 37.* By correction slip No. 10 dated the 3rd May, 1928, a new Form of "Stock Book" has been added after Form A' headed

"(Or For Large Dealers)."

18. *Page 262, United Provinces Rule 37.* By correction slip No. 10 dated the 3rd May 1928 a new Form of "Day Book" has been added to Form D headed "(Or For Large Dealers)."

19. *Page 264, Rule 54.* Delete the words "Assam, the North-West Frontier Provinces and"

20. *Page 266.* Insert the following as new rule—and add it as Note (II-A) to Rule 33, on page 109.

58A. The weapon known as **Ithaca Auto and Burglar gun of American manufacture**, described below, should be classed as a pistol and all the restrictions in force in regard to the ordinary pistols and revolvers should be applied to it :—

"*Description*—Hammerless .20 bore, double barrel, breech loading, pistol grip, barrel ten inches, total length about eighteen inches, takes either shot or ball cartridges. (India No. F-21-53-27, dated the 20th October, 1927.)"

21. *Page 268, United Provinces Rule 67.* Add to "Note"

(vi) All gazetted officers of the Indian Service of Engineers and the United Provinces Engineering Service in the Irrigation Branch and all Canal Deputy Magistrates. (G. O. No. 1149 dated the 18th February, 1927.)

22. *Page 271.* In rule 81 (ii), delete the words "in any" omit the sentence commencing with the words "such inspections" and ending with the words "special reasons" at the beginning of rule 82, and add the following new sentence :

The authorities empowered to grant or renew licences are required to take action under rule 45 of the Indian Arms Rules, 1924, and under the relevant conditions in forms XIV to XVI, XVIII and XIX to verify the arms in the possession of licensees.

Delete the words "under rule 45 of the Arms Rules" from the existing second line of rule 82, and substitute the following for the last sentence of the rule :—

Licensees are warned that in case they sell any arms or ammunition covered by the licences possessed by them to any person (other than a person exempted under section 27 of the Act) they are required to give notice forthwith of the sale together with particulars as to the name and address of the purchaser to the Magistrate of the district or to the officer in charge of the nearest police station. Failure to give notice as required above is punishable with imprisonment for a term which may extend to three years or with fine or with both. (India No. F-21-XI, 25. dated the 5th July 1927, and G. O. No. 5448 dated the 19th August 1927.)

23. *Page 274. Substitute the following for rule 95 (i) :—*

95(i) The following information should also be furnished :—

1. Number of exempted firearms ;
2. cases of loss of firearme ;
3. crimes of violence in which firearms were used ;
4. prosecutions in respect of firearms ; and

should be accompanied by a brief survey of the position which these statistics and these relating to licensed firearms disclose. Reference should be made in particular to the extent to which firearms have been employed in the commission of crime, including riots or unlawful assemblies, and in the exercise of the right of private defence. (G. Os. nos. 3245, 4485 and 7391, dated the 25th June 1925, 7th August 1925 and 18th November 1927.)

24. *Page 274. Add as new rule—*

96. District Magistrates should forward, in duplicate, direct to the Government by March 15 at the latest each year an annual return, in the form in appendix M of licensed and exempted firearms in the possession of, and ammunition purchased by, residents of their districts during the previous calendar year, as well as a brief report on the quantity of arms and ammunition believed to be held illicitly in their districts. Particular attention should be paid to the following points :—

(i) The figures of licensed and exempted firearms in the possession of the public should be combined ;

(ii) in the case of muzzle-leading rifles and pistols, if the bore cannot be given, only the number of weapons need be shown ; and

(iii) ammunition for muzzle-loading guns should not be shown."

NOTE—The heading of the form prescribed as Appendix M, by the above Correction Slip (No 9 dated the 3rd May 1928), is

"Annual return of licensed and exempted firearms in the possession of, and ammunition, purchased by the residents of the—district during the year——."

25. *Page 274. After rule 96, add as new rule—*

97. District Magistrates or Superintendents of Police shall report all sales of arms and ammunition in their district to the authorities of the purchasers' district whether in or outside this province. The procedure followed in different provinces for reporting such sales is as under :—

Province.	Person or authority responsible for report	Authority to whom report is made
Central Provinces	Dealer	Magistrate of district in which purchaser resides
Bombay	Do	
Delhi	Do	
N-W. Frontier Province	Do	
Bihar and Orissa	Do	
Madras	District Magistrate	
Punjab	Superintendent of Police	
Assam	Do	

In the case of Bengal, the Commissioner of Police, Calcutta, will send to the Inspector-General of Police, United Provinces, a consolidated statement of all purchases of arms and ammunition made by residents of this province in Calcutta, and in the case of purchases in Bengal outside Calcutta the Superintendents of Police concerned will send reports to the Inspector General of Police. The Inspector General in each case will send extracts to the District Magistrate concerned in this province. (Letter Nos. 845-P, and 60-P dated the 26 July 1927 and 9th March 1928, also Nos. 1484-P. and 6-P, dated the 1st November 1927, and 13th January 1928.)

26. *Page 280, Appendix A. Delete entry relating to "Moradabad" and "(1) Thakur Sheoraj Singh,"*

27. *Page 281-82. Delete entry "9. Kanwar Partab Singh of Katera" of Jhansi District.*

28. *Page 282 relating to Benares. Omit entry "(3) Goshain Ram Charan Puri" and renumber the subsequent entries.*

29. *Page 285. Appendix B. Benares. Omit the following entries.*

"5. Babu Kant Narayan Singh. ... 10

"7. Colonel Vindhreshwari Prasad Singh, C. I. E., (Chief Secy.) ... 10 "

*Add above the present entry "(14) Chief Judge" the name of Khan Bahadur Saiyid Ahmad Hasan, Chief Secy.—3 retainers, and renumber the entries.*

30. *Page 287. Below "Tehri"—Add—*

"1. Kunwar Bichitra Shah—. 4 retainers,"

*And renumber the subsequent entries.*

31. *Page 393-[Assam.], para. 2. After 124, add "on page 255"*

32. *Page 396 ,, para. 25. After the word "thereunder" add, "page 89"*

33. *Page 398 ,, para. 35-36. After the word 'page' add '246'*

34. *Page 401 ,, para. 47. In first line, place a fullstop after '1924' and for the word 'under', read "Under"*

35. *Page 404 ,, para. 68. For the first word "Licensed" read "Licences."*

36. *Page 406. Lines 13 and 14. For the words "pages 148 and 171 of the Arms Manual (Vide para. 1. on pages 404 of this Manual)" Read pages 148 and 171 of the Assam Manual (Vide pages 394 and 404 of this Manual).*

*In the fifth line from the bottom after "pages 187-201," add the words "of the Assam Manual."*

# The Indian Arms Act Manual.

*Resolution of the Govt. of India, Home Dept No 2125 C, dated the 21st March 1919* — For many years past the administration of the Arms Act has been the subject of adverse criticism, mainly because European and East Indian subjects of His Majesty are exempted from the obligation to take out licences for the possession of firearms while Indians outside certain privileged classes, have to apply for

*Page 5, para 1 in the first line, For "Entries 11, 11(a) and 11(b)" Read "11, 11-A and 11-B"*

*Page 25, para 6 In the second line, For "11(a) and 11(b)" Read "11-A and 11-B"*

*Page 80, para 5 For the words and figures "Punjab No 899 s dated the 29th June 1910" Read "Punjab No 270 H/Police dated the 21st October, 1910"*

*Page 100, Schedule VII In the second column of the Schedule add the word All' opposite entry (1)*

increase in crimes of violence might ensue as would endanger the security of the country and that it would be necessary largely to increase the number of armed police and to improve their equipment

3 The Government of India have decided, therefore, that the question cannot be dealt with on these lines. They have considered the possibility of abolishing all exemptions and requiring every one from the highest authorities downwards to take out a licence for the possession of fire arms. Enquiries showed the objections to this course. There is every reason to believe that a general cancellation of exemptions would be regarded as withdrawing a valued privilege if not as a mark of mistrust.

4 After repeated examination of the question the Government of India decided that the best chance of solving the problem lay first in rigidly restricting the number of exempted persons, and secondly



in arranging that persons of recognised status and character should, without distinction of race, ordinarily be entitled to obtain licences for the possession of firearme without enquiry or delay. While details were still under discussion the following resolution was moved in the Imperial Legislative Council and accepted by Government on the 19th September 1918 :—

This Council recommends to the Governor-General in Council that a Committee of official and non-official members of this Council be appointed to consider and report to the Governor-General in Council to what extent the Indian Arms Act and the rules thereunder can be amended.

The whole question was then laid before a Committee composed partly of official and partly of non-official members of the Council, and the Government of India are now in a position to formulate the conclusions reached after examination of the report of this Committee. These are as follows :—

(1) All arms other than firearms and also firearms of an obsolete character, possessing a purely antiquarian value will be exempted from all the prohibitions and directions contained in the Arms Act, except in Burma, the Punjab and the North-West Frontier Provinces, provided that any local Government may retain the existing restrictions for particular weapons or in particular areas where such a course is necessary in the interest of law and order.

(2) All distinctions of a racial character will be abolished, but a restricted schedule of exempted persons will still be retained, the privilege being subject to the same restrictions in respect of the number and description of weapons as at present.

(3) Exempted persons will not be required to register their weapons but power will be reserved to the Government of India and the local Governments and Administrations to require the registration of rifles, revolvers and pistols in the possession of such persons where necessary.

(4) The great land-holders included in entry (6) of the schedule who at present enjoy exemption in respect of weapons in the possession of their retainers, will in future be allowed exemption in respect of a fixed number of retainers whose weapons will be registered annually as retainers' weapons, their number and description only being specified.

(5) To persons of approved character and status licences for the possession of rifles (other than those of prohibited bores) and smooth bores will ordinarily be issued on application and without previous enquiry. It will be for local Governments to prescribe for each province the qualifications entitling any person to this privilege, but subject to any such orders the Government of India consider that the following qualifications should be sufficient :—

(i) Membership of any order established by the Crown, or the possession of a title conferred or recognised by the Government of India or of the Kaiser-i-Hind Medal or a certificate of honour. (ii) Membership, past or present, of the Indian or a Provincial Legislative Council or inclusion in the list of Provincial Darbaris. (iii) Payment of not less than Rs. 1000 per annum land revenue or Rs. 250 in road and public works cesses. (iv) Payment of income-tax on an income of not less than Rs. 3,000 for a period of three years. (v) Being a Government officer in receipt of not less than Rs. 250 per month. (vi) Being a commissioned or gazetted officer of His Majesty's Military or Naval Forces or His Majesty's Indian Marine Service or a commissioned Indian officer of the Imperial Service Troops in active service. (vii) Being a pensioned officer who before retirement was, by virtue of his official position, included in any of the classes described in (v) or (vi) above.

(6) Persons who have hitherto enjoyed exemption but are not included in the new schedule of persons exempted will be required to take out licences, but it will be open to the local Government to treat them as entitled to the privilege described in clause (5) above, provided that there is no race discrimination.

(7) The following changes will be made in the rules regulating the issue of licences :—

(i) Licences for revolvers and pistols will be issued only in cases of real necessity and to persons of approved character, the fee being fixed at an enhanced rate of Rs 10, except in the North-West Frontier Province where no change will be made. (ii) For a licence in Form XVI the fee will be raised to Rs 5 for each breech-loading weapon but will remain unchanged for muzzle loaders. (iii) Licences will be issued for three years on a compounded fee report of loss and transfer of the local authorities shall have the right to enquire whether the weapon for which a licence has been granted is still in the possession of the licence holder. (iv) Special instructions will be issued to cattle, other holders in Burma, Assam and the North West Frontier Province, subject to any restrictions that may be necessary in regard to any particular province. (v) Licences will not only be issued by District Magistrates, but also by such Sub Divisional officers as the local Government may specially empower in this behalf. For the purposes of enquiry preliminary to the issue of a licence, other agencies will, where possible, be employed in addition to or in substitution for the police.

The necessary modification of the rules and schedules in order to give effect to these decisions is now being undertaken but in order to give persons, who are exempted at present but will not be exempted in future, time to adjust themselves to the new conditions, the changes in the list of exempted persons and the enhancement of fees will not take effect until 1st January 1920.

*The Report of the Indian Arms Rules Committee dated the 20th. Sept 1922.*—A resolution was moved in the Assembly on the 8th of February

1922 by Babu Ujagar Singh Bedi, to the effect that a Committee with a non official majority should be appointed by the Governor General in Council to examine the new Arms Rules, 1920, and to submit a report before the session making specific recommendations with a view further to amend them. The resolution was carried and was accepted by the Governor General in Council subject to adherence to the principles (1), that there should be no racial discriminations in the rules, and (2), that the Government must retain the power to impose restrictions to prevent arms and particularly firearms from falling into the possession of lawless or dangerous persons. In accordance with the instructions contained in Resolution No F-571 dated the 1st June 1922, we have examined the Arms Rules, 1920, and submit our recommendations to the Government of India for such action as they think desirable.

2. Our conclusions have been reached after an exhaustive examination of the views of local Governments, the recommendations of the Committee appointed in 1919, to advise as to the principles on which the rules should be framed, and a large number of memoranda submitted to us by various members of the public many of which were sent in response to a general invitation issued by the Government of India to those interested in the subject under discussion to communicate their views to Government for the information of the Committee. We have examined orally 13 official and 16 non-official witnesses including representatives of the army and the trade, whose evidence was taken in public of

which much has already appeared in the columns of the press. We commenced our sessions in the month of July and spent ten days in recording evidence. We were unable to conclude our work then and for unavoidable reasons were compelled to postpone our deliberations until the September Session of the Legislature. For this reason there has been some delay in the submission of our report.

We propose to deal first with the question of the retention, extension, or contraction of the list of exemptions. Their total abolition has been advocated generally as a counsel of perfection, and the majority of the Committee would prefer this course if it were practicable. Local Governments, however, are of opinion that at this stage the entire abolition of exemptions would create grave dissatisfaction amongst the classes hitherto exempted and would be unwise and inexpedient. With this conclusion the majority of the Committee are in agreement. A large number of non-official Indians both in their oral evidence and in their written memoranda maintain that the schedule of exemptions should be enlarged. After careful consideration of the views put before us and after examining in detail the entries in Schedule I, we are of opinion that the existing list of exemptions contained in that schedule is imperfect in some respects and we make the following recommendations regarding it :—

Under entry 1 (a) we would include ministers and members of the Imperial Legislature during their terms of office and Privy Councillors. The Committee by a majority, do not recommend a similar concession to members of the Provincial Legislatures.

In regard to entry 6 (d), 6 (f), (i) and 6 (g) we doubt whether the terms Great Sardars or Zamindars are sufficiently precise and we do not know what interpretation is placed upon them by the local Governments concerned, namely, the Punjab, the United Provinces and the Central Provinces. We therefore recommend that enquiries should be made from these local Governments whether they maintain lists of these categories, whom they include, and whether they are sufficiently elastic. It has been represented to us that in some cases gentlemen who are in fact big Zamindars are excluded because they are not on the provincial Darbar List. If this is so, we think that it is an undesirable restriction. We are further of opinion that due regard should also be paid to lineage and family position and the lists revised accordingly. If such lists of exemptions under this entry are not maintained we recommend that they should be prepared after the terms in question have been more precisely defined. We append a note by our colleague, Baba Ujagar Singh Bedi, making certain suggestions in this connection which we think may suitably be placed before the local Governments concerned for consideration.

Entry No. 7.—We are impressed with the evidence of Khan Bahadur Muhammad Saifullah Khan, Khan of Isa Khel, who explained that the proviso in column 3 rendered this privilege to a large extent ineffective and we accordingly recommend the removal of the proviso. We are also of opinion that the same privilege

should be extended to the districts of Campbellpur, Rawalpindi and any other district adjoining the North-West Frontier Province which are exposed to raids and dacoities unless the local Government take exception to this course

Entries 11, 11 ~~A~~ and 11 ~~B~~ —We consider that it is unnecessary to retain these exemptions in the actual Schedule of Exemptions. These items were included with a view to protecting, what may be termed the vested rights of the classes named, on the 1st of January 1920, and we are of opinion that these rights should continue to be protected. We therefore recommend that all the present exemptees in the entries 11, 11 ~~A~~ and 11 ~~B~~ should be granted a life licence conferring on them the same privileges in respect of arms exempted from licence and fee which they now possess. The majority of the Committee do not recommend that this privilege should be extended to title holders, who received titles after the 1st January 1920

Entry 13 —We recommend that an addition should be made to provide for the gift of swords or other arms by the Commander-in-Chief or on his behalf. A similar addition should also be made in Schedule II, entry 3 (vi). Our colleague, Baba Ujagar Singh Bedi, has pointed out that some confusion exists in regard to entry 11 ~~A~~ and entry 13. He considers that it should be made clear that entry 13 relates only to those who were presented with swords and arms after 1920, this follows as a matter of course if our recommendations are accepted as entries 11, 11 ~~A~~ and 11 ~~B~~ will be omitted, and entry 13 will be renumbered. We are content to leave this point of drafting to the special officer who, we propose, should be appointed for the purpose of redrafting the rules.

4 We considered the proposal that all stipendiary and honorary magistrates should be included in the list of exemptions, but we are of opinion that a firearm cannot be regarded as a necessary part of the equipment of a magistrate as such and are unable to recommend this. The case of the police is sufficiently met by the fact that a revolver is already a part of the equipment of police officers above the rank of head constable. While in our view it is reasonable that all Government servants who, in the opinion of the local Government, require arms for the adequate discharge of their duty should be exempt from the payment of fees we cannot recommend that all Government servants should be included in Schedule I among the exempted classes.

5 In the case of all exemptees we consider it of the highest importance that they should register all the arms they have in their possession, and we recommend that registration should be compulsory. In regard to the limit imposed by certain local Governments on the number of arms which may be possessed we have no evidence that such restrictions are irksome and indeed from the rules we have seen we are convinced that the scale allowed is generous. We therefore recommend no interference with the restrictions at present imposed by local Governments on the number and kind of arms which can be possessed by exempted persons. It follows that we do not recommend a fixed scale which shall be uniform

throughout India. Conditions vary in different provinces and under the rules framed by the various local Governments exemptees can carry as many weapons as they reasonably require for purpose of protection or other legitimate purposes.

6. A proposal has been put before us that the power of cancelling individual exemptions should be given to local Governments. We consider that the existing rules by which this power is vested in the Governor-General in Council should remain.

7. Our colleagues Mr. Bajpai, Mr. Reddi and Mr. Faiyaz Khan favour the adoption of a system by which licences should be issued without restriction to all applicants on payment of the prescribed fee save in the case of undesirable persons specified in a list kept for the purpose. This proposal, however, does not commend itself to the majority of the Committee, who regard it as entirely outside the scope of practical politics. It is only exposed to the objections we have urged to the total abolition of exemptions, but is open to the serious criticism that a suitable or proper classification of undesirable persons would be impossible.

8. We next come to the entitled class. The evidence on the question whether licences are often withheld from those who belong to this class is divided, but we would recommend removal of restrictions in two directions. In our view eligibility to be included in the entitled class should be considerably extended, and the existing procedure in the matter of enquiry is susceptible of material relaxation. As to the eligibility we recommend that the payment of Rs. 500 land-revenue, Rs. 100 in roads and public work cesses, any payment of income-tax and, in the case of a Government servant, receipt of a pay of Rs. 100 a month and over should be sufficient qualification. In the case of the Punjab, Madras and the Central Provinces we suggest that enquiry should be made whether the limit of land-revenue should not be Rs. 250 instead of Rs. 500. Further the heads of Joint Hindu families should be included in this class, and the adult brothers and sons of entitled persons living jointly with them should be similarly regarded as belonging to it. As to the relaxation of the procedure of enquiry we think that lists of entitled persons should be maintained and that any member of the entitled class applying for a licence should be granted one immediately without enquiry unless the District Magistrate has some definite reason to think that the applicant is an unfit person, in which case he may for reasons to be recorded in writing, refuse the grant of a licence or cause enquiry to be made: in cases of refusal we would recognize a right of revision by the Commissioner or some officer of equal status nominated in this behalf by the local Government. In the existing rules no mention is made of the entitled class, the principles regarding it being contained in a Resolution of the Government of India No. 2125-C.-Police, dated the 21st March 1919, (page 1). We are of opinion that it would be more satisfactory to the general public if the provisions regarding the entitled class with the modifications we suggest were embodied in the rules as we strongly recommend that this should be done,

9. We have given careful consideration to the various questions which arise in connection with the grant of licences, especially licences for the possession of arms. Complaints have been made to us regarding the administration, in practice, of the Rules, especially as regards the delays in dealing with applications the irksome nature of the enquiries sometimes instituted, the difficulty of securing renewal of licences already granted, and the difference in the restrictions imposed by the various local Governments. Indeed we are constrained to place it on record that in our opinion the various criticism which has been directed against the Arms Rules in some quarters is due not so much to inherent defects in the rules themselves as to the method in which they have been put into practice. We have therefore given our particular attention to methods of improving the executive machinery.

10. We have referred above to the unnecessary inconvenience caused in some respects to would-be licence-holders by reason of the delay in issuing licences. We recognise that this delay is frequently caused by the necessity for making enquiries about the fitness of a person to possess a weapon, and while we do not recommend that enquiry can be dispensed with in every case, we believe that the present practice by which enquiries are almost entirely carried out by the police is open to objection by the public and should as far as possible be abandoned. We suggest that in any case in which a previous enquiry is necessary, particularly in case of entitled persons, the District Magistrate should make it, if possible, by any agency, official or non-official, he may choose other than the police, and whenever possible through a Magistrate. In any case in which it is found necessary to have an enquiry made through the agency of a police officer we are strongly of opinion that a licence should not be refused merely on the strength of the report of such an officer alone but that the District Magistrate should order a magisterial enquiry also before coming to a final decision.

11. In some provinces we have found that the custom obtains of limiting the number of licences issued. We have even found that the practice of individual District Magistrates in the same province varies. Any arbitrary limitation of the number of licences issued in a district or province may clearly lead to the refusal of a licence to a fit and proper person and we can see no justification for the adoption, save in exceptional circumstances, of this practice. In our view the normal practice should be that no limit should be placed on the number of licences which may be issued in any district or province. We recognise, however, that circumstances may arise in which a rapid increase in the number of arms in a particular area may be fraught with danger and we think it advisable that local Governments should have discretionary power, without being compelled to resort to the extreme measure of disarming, to limit the number of arms in any area or district if there is reason to apprehend serious danger from the free grant of licences and if

such restriction is necessary for the maintenance of the public tranquillity.

12. We should recognise a right of revision in the case of refusal to grant a license, but we would not disturb the existing rule which requires the sanction of the District Magistrate to a prosecution.

13. The period covered by the license varies in different provinces, but we recommend that it should now be the calendar year. The scale of fees is discussed in paragraph 21 below. Persons should be allowed as at present to take licences for three years on payment of a composition fee. We gather this rule is not widely known at present, and we think it would be desirable that the necessary steps should be taken to ensure its publicity.

14. In some quarters the criticism has been made that persons desirous of purchasing a weapon are put to inconvenience because they cannot produce the weapon when applying for the licence necessary for its possession, and it was therefore recommended that a temporary licence should be given to cover such purchase pending the grant of a licence for possession. We do not agree with this, and in our view a permanent licence should be issued at the time the applicant applies for a licence and the number and description of the weapons purchased should be filled in by the firms from whom the purchase is made and communicated by them to the District Magistrate concerned. In this matter a uniform practice should be adopted throughout India.

15. Another instance in which the present system has been shown to operate to the inconvenience of the licence-holders or would-be licence-holders is that of persons arriving at Bombay, Madras or Calcutta, etc., by sea, who are not in possession of licences and are therefore compelled to deposit their weapons with their agents or in the Customs House until a regular licence can be obtained. We therefore recommend that customs and police officers should be permitted to issue a temporary licence for fourteen days on payment of the full fee, a receipt being given to the licensee. On receipt of the proper licence from the authority empowered to issue the same no further fee should be payable.

16. We attach some importance to the stricter enforcement of condition 7 of the conditions under which a licence for the possession of arms and ammunition is granted. It has been suggested to us that the procedure in the case of failure to report the loss of firearms should be tightened up. But we are of opinion that the contingency is provided for by the conditions of the licence, and all that is required is its more rigid enforcement. We recommend however that the licence should also specify the penalty laid down in the Act for breaches of this or any of the conditions under which the licence is granted.

17. The question of a free issue of crop protection licences was raised by a number of witnesses. The evidence given by official witnesses goes to prove that crop protection licences are issued freely but in some cases conditions are imposed, such as annual production of evidence of the purpose for which the licence is required, before renewal is granted. We recommend the freer issue of such licences and particularly on applications by or recommendations of landlords who are well acquainted with the local conditions and the extent to which damage is done to crops by wild animals.

18. We have been impressed with the fact that licences are frequently granted on flimsy paper which quickly perishes, and we recommend the universal adoption of the Calcutta form. There the licence is printed on stout paper, and is enclosed in covers such as is used in the case of passports. To the licence, a leaflet of instructions, in the vernacular of the province or in English, at the option of the licensee, should be annexed. These instructions should indicate the procedure laid down for the renewal of the licence and the restrictions to which the licensee is subject. In this matter we plead for uniformity throughout India. It has been suggested that the all-India, the provincial, and the district licence form should bear distinctive marks, and a different colour for each has been proposed. We do not regard this suggestion as of vital importance, but pass it on to the Government of India for consideration.

19. A single licence form should be used for all the weapons licensed and not a separate licence for each arm. We have found diversity of practice in the different provinces in this respect and we recommend that there should be uniformity.

20. As regards the renewal of licences we are of opinion that the existing procedure is susceptible of improvement. We see no reason why, when a licence has once been issued, it should be necessary for a District Magistrate to sanction renewal. The licensee may have changed his district or he may live in an inaccessible locality. The inconvenience then caused is considerable and easily avoidable. We therefore recommend that licences should be renewed by any Magistrate or any Sub-Divisional Magistrate in the district in which the licensee is residing or in any other district in which he is known. In the case of a renewal of a licence in a district other than that in which the licence was originally issued we recommend that the original licence should be renewed and the authority which issued the original licence supplied with information of renewal. The production of firearms should not in our opinion be a precedent condition to the renewal of a licence.

21. In regard to the scale of fees we find that there are indications that the present fees are regarded as too high (except for a provincial licence in the North-West Frontier Province) especially in the case of breech-loading guns. We recommend the following scale in all provinces



except for provincial or district licences in the North-West Frontier Province and possibly frontier districts of the Punjab :—

Initial Fee—Revolver Rs. 10 ; Rifle Rs. 5 ; Breech-Loading Gun and '22 bore Rifle Rs. 3 ; Muzzle-loading Gun or Air Gun requiring a licence, annas 12 ; the enhancement of the fee from annas 8 to annas 12 being intended to meet the cost of the improved and more expensive form of licence. *The fees on renewal should be reduced and we recommend that they should be respectively Rs. 5, 2-8-0, 1-8-0 and annas 8 ; but if renewal applications are not made within a month after the expiry of the period covered by the licence we recommend that it should be open to the District Magistrate in lieu of prosecution to levy the initial fee in full. No reduction of fee on account of composition is required.*

Payment of fees should be by non-judicial stamp and applicants should be allowed to send their applications for licences or renewal of licences by post.

As stated earlier in our report all Government servants who are, in the opinion of their local Government, required to possess arms for the adequate discharge of their duty, and all members of the Auxiliary and Territorial Forces, should be permitted to possess two arms without payment of fees. Exemptees should, as at present, pay no fees and those who will, if our recommendations are accepted, receive a life licence should similarly pay no fees for the arms which they are entitled to possess. We consider that the question of the extended issue of firearms free of fee in the North-West Frontier Province and Frontier districts should be carefully examined by the local authorities and we strongly recommend that, subject to such enquiries, action on these lines should be taken. We sympathise with the view of the arms-dealers that the existence of a separate fee for a licence for import into India and transport to destination is a distinct hardship, and in our opinion there should be a single fee only.

22. Under the rules no limits are placed on the amount of ammunition which may be possessed ; but local Governments, have themselves imposed limitations. From the evidence before us we consider that these restrictions are in some cases unnecessary and calculated to inconvenience the *bona-fide* sportsman. A uniform procedure in this respect is desirable throughout India and we accordingly recommend that no limit of ammunition should be fixed in the case of shot-guns or '22 bore or target rifles. In the case of revolvers we recommend a limit of 100 rounds and in the case of rifles a limit of 200 rounds *per* rifle. Any person who can prove that he needs more than 100 rounds for a revolver or 200 rounds for a rifle should be given a licence for a larger number. At the time of the purchase of revolver and rifle ammunition the licence should, in our judgment, be produced. We are also of opinion that measures should be taken to facilitate the export of arms and ammunition to persons residing in feudatory states.

23. We have discussed in some detail questions affecting the issue of licences because we feel that the public have legitimate grievances, and we believe that improvements can be effected for their benefit without in any way impairing the efficiency of the Arms Act administration. We desire now to make two proposals which we think may have material effect in allaying whatever dissatisfaction may remain. In the first place, we recommend that the issue of all-India licences should be as unrestricted as possible and should be generally encouraged, and that certainly every member of the entitled class to whom a licence is not refused should get an all-India licence if he desires it. Further, we see no sufficient reason why Assam and Burma should be excluded from the all-India licence and would recommend their inclusion. In this connection we also recommend, with reference to entry no. (1) in Schedule II, that enquiry should be made from the Punjab, Burma, North-West Frontier Province and Delhi whether the retention of these provinces in column 1 is really required, and whether the power given in column 3 is not sufficient to meet all reasonable requirements. Secondly, we strongly advocate greater expedition in dealing with applications for licences and renewals. We have dwelt already on the possible inconvenience caused to the public. With the object of remedying the existing state of affairs it has been proposed that in each district a special department or a local advisory board should be established to deal exclusively with matters connected with the administration of the Arms Act. We are not in favour of the establishment of such a department or board, as the result would probably be even greater delay than at present, but we recommend that local Governments should be asked to issue instructions to district officers that they should appoint additional staff when necessary to deal expeditiously with applications for licences and renewals when applications are received in such numbers that the District Magistrate is not able to deal with them promptly with his ordinary staff,

24. We now come to a number of miscellaneous points of detail and we propose merely to give a brief record of our conclusions.

25. It has been suggested by the military authorities that the restrictions on the possession of revolvers should be tightened up. We recognise that the unrestricted possession of revolvers might be a menace to the public tranquillity; nevertheless, we do not recommend any tightening up of the existing restrictions which seem to be adequate. At any rate they have not been shown to have failed. The existing restrictions should, however, remain.

26. Enquiry has been made whether the import into India of '303 bore revolvers should be prohibited. The military authorities see no necessity for the prohibition and we do not recommend it. There are, however, good reasons why the import of '450 bore revolvers which take service ammunition should be prohibited,

and we recommend that such prohibition should be included in the rules.

27. In regard to rifles of prohibited bore, we recommend that no prohibition is necessary in the case of those rifles for which service ammunition cannot be used and the ammunition of which cannot be used for service rifles, but we make this recommendation subject to any objections which the military authorities may wish to place before the Government of India.

28. It has been suggested that the import of arms should be permitted through the post office, but we think any general rule such as this would be dangerous, and accordingly we are opposed to the adoption of this practice.

29. The rules regarding retainers have been represented as inadequate, but no specific instances of hardship have been brought to our notice, and we are of opinion that no change is required.

30. A proposal was made to us that licences granted to the head of a family should be held to cover the carrying of arms by dependent members of the family, particularly in the case of adult female members travelling alone. We are of opinion that the acceptance of this principle in such general terms might be dangerous. We think, however, that there is much to be said for the wife of a licensee being permitted to carry a weapon for purposes of protection on a railway journey, and we recommend that to this extent the proposal should be accepted.

31. We agree that the practice hitherto followed by licensed dealers of employing assistants to conduct their business in their temporary absence should continue, and that it is unnecessary to take further steps to legalise it.

32. As regards reciprocity with Indian States, it has been proposed that reciprocal arrangements should be made in all matters connected with arms administration. We recognise that unrestricted reciprocity is clearly impossible. Some States have no Arms Act or Rules, and in others the administration of their rules proceeds on different lines from those which obtain in British India. We could not with equanimity contemplate a large number of persons from Indian States coming into British India in possession of arms on the ground that they are exempted in their State. On the other hand our exemptions provide for the exemption in British India of a number of high officials belonging to Indian States, and we therefore recommend that the Government of India should endeavour to secure reciprocal arrangements with any State which can satisfy the Government of India that they have properly administered Arms Rules.

33 We recommended that the same power be given to the Commissioner in Sind and the District Magistrate, Karachi, in respect of the grant of licences for the export of arms and ammunition to Indian States by dealers in Karachi as are at present possessed by particular officers named in Schedule VI in respect of arms exported from elsewhere in India.

34 We have not considered a number of technical points and minor errors and omissions in the existing Rules to which reference has been made in the correspondence or the evidence we have examined. Our object has not been so much to revise the Arms Rules from the point of view of draftsmanship as to suggest improvements which will benefit the public. As regards the technical defects of draftsmanship we are not qualified to express an opinion, nor is it our duty to do so. We recommend, however, that an officer might profitably be placed on special duty to redraft the Rules, in the light of the recommendations made in this report and that an expert from the trade should be invited to assist him. In our opinion it would enable the ordinary licence-holder to get a grasp of the Rules which are of importance to him, namely, those relating to the issue and renewal of licences, the fees payable, and the restrictions imposed, if these Rules were issued in a self contained section. The Rules as they stand are very confusing and are so comprehensive that the average licensee finds it difficult to disentangle those which concern him from those which are in the nature of technical instructions.

APPENDIX—*Letter dated September 20th 1922 —From Baba Ujagar Singh Bedi M L A*—As suggested by the Arms Rules Committee to elicit opinions of certain Provinces on Schedule I of the Arms Rules 1920 for which the Punjab Government have also been called upon to submit their view regarding clause (d) section 6 of Schedule I, in which connection I was also asked to suggest some definition which might be helpful to the Punjab Government in their this effort

I may be permitted to submit the following few suggestions which might be taken into account both by the Punjab Government as well as the Government of India before giving it a legal shape

Although the Punjab Government has defined the Great Sardars and Jagirdars of the Punjab as those who are Provincial Darbaris yet it seems to me that there is no well defined criterion which governs the creating and selecting of Darbaris. It entirely rests with the arbitrary choice and recommendation of District Magistrates. Hence the definition is not for Great Sardars and Jagirdars. There may be certain Provincial Darbaris who may be regarded as Great Sardars and Jagirdars and yet may not be paying such high revenues as are paid by or bearing such traditional qualifications as are enjoyed by, those who are neither Provincial Darbaris nor regarded as Great Sardars and Jagirdars by the Punjab Government. Therefore it has become imperative that a comprehensive definition should be provided for in the Law. Not even to ignore the idea of the Punjab Government let Provincial Darbaris be regarded as Great Sardars and Jagirdars

Although the evidence certain other Provinces Sardars and Jagirdars whose land is assessed or is a Jagirdar of both cases may also meaning of the clause

Might I here elucidate the matter : the Punjab Government itself has considered the highest value of the revenue tax-payer to be Rs. 1,000 as given in the Electoral Rules to qualify a person as an elector to Landholders Constituency in the Punjab for the Legislative Assembly and that is the highest limit in the Punjab. It is, therefore, obvious that such revenue payers in the Punjab are very limited in their number. The definition that I have given above will remove the trouble. There seems no reason why the persons who come of high families of the Punjab Chiefs and are jagirdars and still pay high revenues, are excluded from this privilege and merely persons picked up by the sweet will of District Magistrates should alone be and are regarded as Great Sardars and Jagirdars.

I presume that I have made the point clear, and that it will invite the attention of the Government : and I may be informed at an early date of the decision which may be arrived at by them.

Mr. S. P. BAJPAI, *M. L. A.*—I think that in view of the fact that land-revenue in the Punjab is very low landlords paying Rs. 1,500 per annum as land-revenue in the Punjab may be exempted.

Mr. M. K. REDDI, *M. L. A.*—While approving the view of my friend Mr. Bedi, I would also suggest to define the word or expression 'Ancient zamindar' in Madras also.

Colonel H. A. J. GIDNEY and Mr. ABUL KASEM.—I agree with these views for Punjab.

Mr. HARCHANDRAI.—For the reasons pointed out above I am of opinion that in the special circumstances of the Punjab landholders in the Punjab paying an annual land-revenue of Rs. 1,500 who are at the same time Punjab Chiefs should be exempted.

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*Minute of dissent by Rai Bahadur S. P. Bajpai, M. L. A., Member, Arms Rules Committee, dated the 27th September 1922.*—Paragraph 7.—I do not agree with the majority of the Committee that my proposal to issue licences to all applicants on the payment of the prescribed fee save in the case of undesirable persons specified in a list to be kept for the purpose is outside the range of practical politics. The policy of the Government of India in regard to the administration of Arms Rules has all along been a subject of hostile criticism in the country. It is urged that innumerable restrictions and limitations imposed on the possession of firearms have led to the emasculation of the Indian manhood. Those of us who were connected with the recruiting work during the great war know with what difficulty recruits could be procured for combatant strength in the army. The reason is obvious. People in the interior who have seldom seen a breach-loading gun would hardly agree to become soldiers and fight in the trenches. I think it is not impossible to prepare a schedule of exclusions. The Police maintain a register of bad characters, and a list of persons convicted of heinous offences can be obtained from the office of the District Magistrate. Bad characters, persons convicted of heinous offences and members of criminal tribes may be excluded. I think the time has now come for the Government of India to take courage in both their hands and adopt my suggestion, which I believe, will not only disarm criticisms levelled in season and out of season against the Government but also prove a source of considerable strength to the British Empire in the hour of need.

Paragraph 3 entry 1 (a).—I think it is only fair that the members of the Provincial Legislatures should also be exempted. To me it appears an invidious distinction to exempt members of the Central

Legislature and to deny the same privilege to Provincial Legislators. After all a considerable body of both the Legislators is drawn from the same class of citizens. This distinction, I am sure, will lead to considerable bitterness and heartburning. I shall, therefore, recommend to the Government of India to exempt the members of Provincial Legislatures as well.

Entry 6 (g).—(a) In Oudh all Taluqdars as such are exempt. Some of them pay nominal land revenue, while non Taluqdar Zamindars to enjoy the privilege of exemption are required to pay twenty thousand rupees land revenue. I think, with a view to assuage feelings which are running very high with regard to the exemption of Zamindars in the provinces of Agra and Oudh, I shall suggest that all Zamindars who pay Rs 3,000 or over as land revenue should be exempted. My recommendation coincides with the recommendation made by the United Provinces Landholders' Conference which met at Lucknow in July last.—(b) Heads of Joint Hindu families who pay Rs 3,000 or upwards as land revenue should also be exempted and the adult male members on the analogy of the entitled class be considered as belonging to it.

Entry 11, 11 (a) and 11 (b)—I do not agree with the majority of the Committee in their recommendations to grant a life licence to exemptees falling under these categories. I am not convinced that the removal of these entries from Schedule I will satisfy title holders who received these distinctions after the year 1920. They will continue to feel that, while their more fortunate brethren are exempt to all intents and purposes, they are called upon to apply for licences. Most of the title-holders who received these decorations after 1920 feel that a rare privilege is denied to them.

Big landholders and a large number of title-holders have got large stakes in the country. I therefore, see no reason why they should not be exempted. Consequently I recommend that entries 11, 11 (a) and 11 (b) should not only be retained but that all future title holders, etc. should also be exempted.

Paragraph 4—I do not agree with the majority of the Committee when they recommend that Magistrates etc., should not be exempted. I think all Magistrates, Stipendiary or Honorary, Honorary Munsifs and Honorary Assistant Collectors should be exempted. Magistrates do need firearms to protect themselves when they are put in charge of processions, etc.

Paragraph 5—I think it unnecessary to place restrictions on the number of firearms to be possessed by an exemptee. I shall, therefore, recommend that no restrictions be placed on the possession of firearms by exemptees who are almost always loyal and law-abiding citizens.

*Minute of dissent by Mr Muhammad Fayaz Khan, M L A, Member of the Arms Rules Committee, dated the 18th October 1922*—I am sorry that I have disagreed on some points in the Arms Rules Revising Committee, which run as follows —

(1) I do not agree on the ground of principle that the members of the Imperial Legislature should be exempted from the operation of the Arms Act only so long as they continue to be members. A person may not enjoy any concession, but if he does, he should not be deprived of it during his life-time, unless there is something to prove that he has become less trustworthy. A member of the Imperial Legislature does not lose any part of his worth or his sense of responsibility by ceasing to be a member. Membership is only an apparent proof of a man's qualities, and his retirement does not involve any kind of turpitude at all. I therefore strongly hold that the members of the Imperial Legislature should enjoy this privilege during their life-time.

(2) I fail to understand why the entitled class should only be based on money consideration. A person may not be a Government servant or may not be paying the prescribed sum to the Government as revenue or taxes, but still he may be as good or even a better citizen than many of the Government servants and those paying the prescribed sum to the Government as revenue or taxes. The professor of a Communal College is an instance in point, who is neither a Government servant nor paying anything as tax. Again, the son or sons of a Zamindar may be thoroughly satisfactory men for keeping a weapon and still may not be paying any revenue or income tax in their name.

I really do not see why education be not also regarded as a sufficient qualification for coming under this class. Wealth may lead a man astray and may even bring him down to the position of a beast, but education alone is a sure agent for ennobling character. I would therefore suggest the inclusion of the following to the entitled class.—

(a) Barristers, Pleaders, Vakils of High Courts of 5 years' standing ;—(b) Professors, Readers and Lecturers at Colleges affiliated to an Indian University ;—(c) M.As. ;—(d) B.As. of seven years' standing ;—(e) Government Pensioners drawing Rs. 100 and over per month.

(3) It should be expressly provided in the Arms Act that the licences will not be held back on the basis of the individual political views, and those who come under entitled class will get their licences as a right and not as a favour. What justification was there for the forfeiture of licences and arms of such revered, noble and peace-loving citizens as Pandit Motilal Nehru, Lala Bhagwan Das, Khwaja Abdul Majid and S. Asif Ali, etc. The refusal to issue or renew a licence to Indians of this position, though a proof of the "frame" being made of "steel" has the inevitable effect of lowering the prestige of the Government in the country. Big Zamindars and money-lenders paying a large revenue to the Government have been refused licences on the ground of their wearing "Khaddar."

On the refusal or the forfeiture of licences, I have received a good many letters from respectable people ; and the following are the copies of a few interesting letters in my possession which will reveal the methods some time adopted by some of the District Magistrates. A gentleman who is paying as much as rupees

twenty-five thousand as Government revenue, who is also a Municipal Commissioner and the Secretary of an important orphanage and a girls' school, writes —

The local officials simply on account of the reason that I wear Khaddar in response to the country's call have forfeited my licence of Arms. I do not know what justification there is the lic... tly cultivators only if they say that they are the... without giving any reasons whatsoever they have... zether with me other very big and prominent Raisas whose fathers and they themselves are held in great esteem for no reason apparent except to suit their own wishes. As far as I could ascertain and my knowledge goes the licences were introduced that undesirables should not get licences, and should not possess fire arms but every day experience will show that murders and dacoities are being committed every day and Badmashes never show in wanting, they always have it and people of my social status do not get a licence. We have to travel to go to our villages which are apart some 40 miles and travel with that money unsafe absolutely at the mercy of robbers and all, and nothing to protect us. I hope you will do something to relieve the present situation in the country and save gentry from these Bureaucrats who are pleased with a few on flattery.

In another letter the s... As regards myself we are my estate cases go to the friend. But my friend English suits though of course he has also committed the crime of being a Congressman.

But I will quote you a most important example that the licence of... had been forfeited, and the reason of this forfeiture I shall explain in full (instead of the explanation from the writer of this letter the very gentleman referred to in the above letter, wrote me the reason why his licence was forfeited, which runs as follows) — His name is Rais and Talukdar of... he is one of the very big land-holders of the United Provinces and is a confirmed loyalist, always dancing before the Collector and the Commissioner of... so timid as afraid of wearing Khaddar because that displeases the officials so he must wear Christy's cap. Here is what he himself says about the reasons of the forfeiture of his licence —

The whole estate is in the name of my father who pays the revenue of about Rs. 5000 to the Government.

of arms has caused me very great inconvenience. I had to shift my residence from... to... permanently as it was not quite safe at... owing to the dacoities and robberies though it is not quite safe over here too. I was never taking any part in politics, and why I was a prey of Bureaucrats I shall explain to you in detail. The remote reasons of displeasure of the Bureaucrats was that when I was residing in... a few Congress Volunteers came for subscriptions and I also paid a sum but that was not the immediate cause of displeasure. I was serving as a Panch in the Tehsil of... and I was called upon by the Collector to resign my seat from... had given my word that I would... cause of displeasure and he... Panchayat I shall forfeit my... t least was under the impress... Government and on the other hand they were encouraged.

Another letter gives quite a different method adopted by a District Magistrate, which runs as follows —

I have also a stubborn grievance against the licence regulations which seem to exist only in name. We are told that the reform scheme had given the honourable



(1) I do not agree on the ground of principle that the members of the Imperial Legislature should be exempted from the operation of the Arms Act only so long as they continue to be members. A person may not enjoy any concession, but if he does, he should not be deprived of it during his life-time, unless there is something to prove that he has become less trustworthy. A member of the Imperial Legislature does not lose any part of his worth or his sense of responsibility by ceasing to be a member. Membership is only an apparent proof of a man's qualities, and his retirement does not involve any kind of turpitude at all. I therefore strongly hold that the members of the Imperial Legislature should enjoy this privilege during their life-time.

(2) I fail to understand why the entitled class should only be based on money consideration. A person may not be a Government servant or may not be paying the prescribed sum to the Government as revenue or taxes, but still he may be as good or even a better citizen than many of the Government servants and those paying the prescribed sum to the Government as revenue or taxes. The professor of a Communal College is an instance in point, who is neither a Government servant nor paying anything as tax. Again, the son or sons of a Zamindar may be thoroughly satisfactory men for keeping a weapon and still may not be paying any revenue or income tax in their name.

I really do not see why education be not also regarded as a sufficient qualification for coming under this class. Wealth may lead a man astray and may even bring him down to the position of a beast, but education alone is a sure agent for ennobling character. I would therefore suggest the inclusion of the following to the entitled class.—

(a) Barristers, Pleaders, Vakils of High Courts of 5 years' standing ;—(b) Professors, Readers and Lecturers at Colleges affiliated to an Indian University ;—(c) M.As. ;—(d) B.As. of seven years' standing ;—(e) Government Pensioners drawing Rs. 100 and over per month.

(3) It should be expressly provided in the Arms Act that the licences will not be held back on the basis of the individual political views, and those who come under entitled class will get their licences as a right and not as a favour. What justification was there for the forfeiture of licences and arms of such revered, noble and peace-loving citizens as Pandit Motilal Nehru, Lala Bhagwan Das, Khwaja Abdul Majid and S. Asif Ali, etc. The refusal to issue or renew a licence to Indians of this position, though a proof of the "frame" being made of "steel" has the inevitable effect of lowering the prestige of the Government in the country. Big Zamindars and money-lenders paying a large revenue to the Government have been refused licences on the ground of their wearing "Khaddar."

On the refusal or the forfeiture of licences, I have received a good many letters from respectable people ; and the following are the copies of a few interesting letters in my possession which will reveal the methods some time adopted by some of the District Magistrates. A gentleman who is paying as much as rupees

twenty-five thousand as Government revenue, who is also a Municipal Commissioner and the Secretary of an important orphanage and a girls' school, writes :—

The local officials simply on account of the reason that I wear Khaddar in response to the country's call have forfeited my licence of Arms. I do not know what justification there is, the licences are being granted to my petty cultivators only if they say that they are the members of the Amna Sabha, but without giving any reasons whatsoever they have done that against me, and together with me other very big and prominent Raisas whose fathers and they themselves are held in great esteem for no reason apparent except to suit their own wishes. As far as I could ascertain and my knowledge goes the licences were introduced that undesirables should not get licences, and should not possess fire arms, but every day experience will show that murders and dacoities are being committed every day and Badmashes never show in venting, they always have it and people of my social status do not get a licence. We have to travel to go to our villages which are apart some 40 miles, and travel with that money unsafe absolutely at the mercy of robbers and all, and nothing to protect us. I hope you will do something to relieve the present situation in the country and save gentry from these Bureaucrats who are pleased with a few of flattery.

In another letter the same gentleman writes :—

As regards myself, we are followers of Swadeshi and wear 'Khaddar,' I manage my estate, cases go to the courts, but certainly I am Congressman and so is my friend. But my friend does not even wear Khaddar and still wears English suits, though of course he has also committed the crime of being a Congressman.

But I will quote you a most important example that the licence of ... had been forfeited, and the reason of this forfeiture I shall explain in full (instead of the explanation from the writer of this letter the very gentleman referred to in the above letter, wrote me the reason why his licence was forfeited, which runs as follows) — His name is . . . . . Rais and Talukdar of . . . . . he is one of the very big land-holders of the United Provinces and is a confirmed loyalist, always dancing before the Collector and the Commissioner of . . . . . so timid as afraid of wearing Khaddar because that displeases the officials so he must wear Christy's cap. Here is what he himself says about the reasons of the forfeiture of his licence :—

The whole estate is in the name of my father who pays the revenue of about 5000 . . . . . of the big zamindars of . . . . . from all worldly cares last 6 years, and hence . . . . .

licences of fire-arms were taken away from me . . . . . of arms has caused me . . . . .

... which as a gentleman I could not do, as I had given my word that I will serve as a Panch for a month, this was the immediate cause of displeasure and he said that if you do not resign your seat from village 'Panchayat' I shall forfeit your arms; and on my refusal the arms were forfeited. I at least was under the impression that Panchayats were no cause of displeasure to the Government, and on the other hand they were encouraged.

Another letter gives quite a different method adopted by a District Magistrate, which runs as follows :—

I have also a stubborn grievance against the licence regulations which seem to exist only in name. We are told that the reform scheme had given the honourable

zamindars an opportunity to apply for licences for firearms, such as rifles, revolvers, etc., but we have fully experienced the Reform Scheme to be a dead letter. For this I may quote instances. I am a big landholder of ..... my father is paying a considerable Government revenue of Rs. 8,000. When I applied for the licence of a rifle in the Collectorate, the Collector disposed of the case to the Deputy Collector, and I was called and I appeared before him and he told me that if I gave Rs. 200 as a contribution to a Government fund I could be given the licence applied for. I had already contributed a considerable amount and that this has no concern with the present matter, whereupon he said that if I were not ready to comply with his order I should not insist for the said licence. Dismayed and embittered I left the court. Such measures I say can never compel us to co-operate. Leaving aloof my own case there are hundreds that will readily attract your attention. The whole district is seething with discontent on account of the severity in granting the licences. It is better that I do not quote more instances of the same nature.

A cousin of the above writer, also writes :—

My case is a bit different because I have not been refused the licence of a pistol which I require, but I have every reason to pre-conclude that if I were to apply for it I should have been flatly refused. The statement of mine is not without foundation and validity, because my cousin who applied for the licence of a rifle was not given the licence he asked for. We are one of the greatest zamindars of our district, our family is paying Government revenue of Rs. 8,000 (the whole family jointly paying Rs. 25,000 Government revenue) and myself exclusively paying Rs. 2,000. We really regret that being supporters of British Raj we are not so much trusted as to allow us to keep fire-arms. These measures instead of creating amicable relations with the Government bring about the greatest breach of fair connection with the land-holders.

The above are a few of the typical cases I have selected, and I would only like to give one more letter from a person holding a responsible Government post in judicial line which will show how the other party thinks of the present Arms Rules. The letter runs as follows :

As for the Arms Rules, in my opinion, either the exemptions should be totally abolished or gazetted officers of 1st class must be exempted. You can well imagine the anomaly that a common man who has been hanging at the coat tails of a District Magistrate and thus becomes a Khan Bahadur prior to 1920 is exempted whilst a sub-judge who is entrusted with the decision of the Rais cases of the value of crores is not... .. In my opinion if enquiry is at all necessary it must be entrusted to a District Committee comprising of officials and non-officials and their decision should be binding.

Before I finish quoting examples, let me quote one more recent amusing example of the decision of a queer District Magistrate. A leading practising Vakil in a District recently applied for a licence of a Double Barrel Breech-Loading shot-gun, and the licence was duly granted with the following note on the application :

A licence for a Double Barrel Breech-Loading gun for British India has been sanctioned in the name of the applicant, now he deposits the stamps for fee of the licence. Submitted for orders. The applicant is a pleader practising in the District.

After a month or so the gentleman happened to go and see the District Magistrate. No one knows what conversation passed between them, but one can pretty accurately guess what conversation could have passed between these two, which led the District Magistrate to write the following amusing and entertaining remarks on his application. The remarks ran as follows :—

Deposit meanwhile. I have seen the gentleman, who seems very uncertain whether he is an enemy of the established Government or not.

Curiously one would like to know from the District Magistrate whether he himself is "the enemy of the established Government or not," because by forfeiting the licence of such a respectable

gentleman, has he not sown the seed of hatred and discontent with the established Government? One who sows the seeds of discontent with the established Government—then who should he be called the "enemy of the established Government, the Magistrate or the licensee?" There is one more and the last example of the mis-use of the Arms Act by a District Magistrate which I would like to show, and I believe these examples to be enough to throw some light on the actual working of the Arms Act. A few months ago at Kashipur the shopkeepers observed Hartal on a particular day; the District Magistrate got enraged and issued an order of the forfeiture of the arms of some of those shopkeepers who observed Hartal, and the order of the District Magistrate with the reply of the shop-keepers runs as follows:—

**ARMS ACT RULES—A KASHIPUR CASE.**—(From a Correspondent).—True copies of the order of the Deputy Commissioner and the reply of nine gentlemen upon whom the order was served are sent herewith:

All these gentlemen are either zamindars or wholesale cloth-merchants. They are non-co-operators. Even then the Sir, was it any sin to close the shops to be an illegal act? Can Government force a man to either become a co-operator or a non-co-operator? Is it not coercion, intimidation? Are the peace-loving citizens to be thus deprived of their lawful activities? It is rumoured that a gentleman is going to be deprived of his honorary magistracy if he does not soon publicly do some work for the Aman Sabha.

**DISTRICT MAGISTRATE'S ORDER.**—On 13th April 1922, a Hartal was observed at Kashipur. Those who observed Hartal are liable to be deprived of their arms licences. Those who have observed Hartal are liable to be deprived of their arms licences.

By observing Hartal these persons showed their sympathy with the non-co-operation movement and also showed themselves undeserving of holding arms licences granted by the Government.

I therefore hereby suspend the licences of the persons named below and a notice will be served on each of them accordingly to deposit his weapons in the police station forthwith. If within one month of service of the notice the licensee files a petition in my court expressing his regret and assuring me of his non-sympathy with the non-co-operation movement, the weapon will be restored. Otherwise the licence will be cancelled on the expiry of one month.

(1) Lala Sukhdeo Prasad Khatri, Honorary Magistrate, Kashipur; (2) Lala Raghubir Saran Khatri, Kashipur; (3) Lala Kunj Behari Lal, son of Lala Sukhdeo Prasad, Kashipur; (4) Lala Brij Kishore Khatri, cousin of Lala Sukhdeo Prasad; (5) Lala Puran Pershad Khatri; (6) Lala Shiv Lal Khatri; (7) Lala Ganga Prasad; (8) Lala Chheda Lal Khatri; (9) Lala Shyam Saran Har Saran Khatri; (10) Lala Sudama Lal Raghubir Saran; (11) Lala Shiva Lal Vaish; (12) Lala Hazari Lal Vaish; (13) Chaubeey Amar Nath, Chairman, Municipal Board, Kashipur.

**THE REPLY.**—To THE DEPUTY COMMISSIONER, NAINI TAL.—In compliance with your order dated 7th June 1922, some of us have deposited our weapons in the police station, Kashipur, and others with Sholikh Abdul Wahid, a local licensed dealer in arms. As under the law both the courses are open to us, those of us who have elected the latter course hope that it will facilitate the disposal of these weapons of their value in case you are not pleased to

2. Under resolution No. 21250 of the Government of India, Home Department, dated the 21st March 1919, (page 1), payment of not less than Rs. 1,000 per annum as not less than Rs. 3,000 for a period of three years, government, Resolution No. 5572—X-844, sums as land revenue or income-tax, etc., is to be regarded as a sufficient qualification for entitling a person to obtain licences for the possession of fire-arms, including rifles, smooth bores, etc. In accordance with these statutory rules every

one of us is duly qualified and entitled to a licence and some of us are possessed of more than one qualification.

3. The law for the suspension and cancellation of licences is clearly laid down in the Arms Act. Under section 18 a licence is liable to be suspended or cancelled only if the licensee is convicted of an offence against the Arms Act or the Rules or if it is necessary to do so for the security of the public peace. None of us has been so far convicted of such an offence, nor has it been alleged by anybody, and it is not stated or even suggested in your order that it is necessary to suspend or cancel our licences with a view to preserve public peace. So, we venture to submit that your order is quite illegal and *ultra vires*. We have, jointly as well as severally, a profound concern in the maintenance of public peace. Even if we were unmindful of the public weal, our own self-interest as well as self-regarding instinct would constrain us to discountenance everything that may tend to disturb the public peace even remotely or indirectly. We cannot help stating that we have a distinct stake in the land as each one of us is connected either with a zemindari or with a decent business concern, or with both, and such as we have everything to lose and nothing to gain by any breach of the public peace at any time. We beg leave to submit that the closing of the shops on the 13th of April last—whether all of us did so or not, and though some of us, namely Lala Chedalal, Lala Brijkishor, and Lala Sukhdeo Prasad have no shop in any bazar and Lala Hazarilal none in Kashipur, so that it was not possible for them to close any—has no bearing in the matter of our licences and the suspension thereof on this account is not warranted by the law of the land.

4. As a condition precedent to the restoration of the weapons you want an assurance of non-sympathy with the non-co-operation movement from each of us. We are at a loss to understand the full import of these words. As we have stated above, we have to come in contact occasionally, if not frequently, with public servants for various purposes, such as the determination or payment of land revenue or income-tax, or for purposes of irrigation or settlement, and in connection with proceedings in courts, and the like. The very fact of our being in possession of these arms is significant enough. Besides we are rendering public services, however humble they may be, in various other spheres, *e.g.*, in the municipality, in the furtherance of the co-operative credit movement, in the management and maintenance of the aided high school in our town, and one of us Lala Sukhdeo Prasad, also, is an honorary magistrate. Under these circumstances it would not be impertinent to enquire what we are required to undertake by giving an assurance of non-sympathy with the non-co-operation movement. Unity among all races and creeds, uplift of the depressed classes, encouragement of cottage industries and indigenous manufacture of cloth, revival of the purity and simplicity of oriental living, social and temperance reform, cultivation and development of the individual and national sense of self-respect, and above all, the realisation of the paramount necessity of the maintenance of public peace and order under all possible conditions and circumstances and an immutable determination to adhere to the above principles and to cultivate feelings of personal amity and goodwill among individuals are some and by far the main planks in the contemporaneous non-co operation platform. Are we required to run in a counter direction and to turn our stiff backs against one and all of these and, if so, would our conduct be of public advantage and conducive to the progress of the State? Further, is any of these activities prohibited by law and, if not, is one to be deprived of his legal rights and privileges because of his legitimate actions and lawful actions if he cannot succeed in persuading his conscience to accept the executive view of the matter or to disregard its counsel.

5. There is a still graver aspect of this question, and we can only hope that it did not strike you at the time you passed the preliminary order suspending our licences. As was well known to your predecessor in office, Kashipur sub-division and its vicinity is infested with dacoits as well as wild animals and their ravages have rendered serious havoc—villages have been deserted, land has gone waste and population is steadily dwindling—dacoities have never been scarce in these parts while during the last two or three years arson, pillage, assassination and inhuman outrages have been the order of the day and a reign of terror has been supreme for a considerable period as even one having no local knowledge can easily gather from the Sub-divisional Magistrate's judgment in a recent case (*K. E. vs. Umraosingh* of May 1922). The report of the land-revenue administration in these provinces just published also bears testimony to this. "Agriculture in the Naini Tal *tarai* was hampered by the prevalence of dacoity, and the Commissioner remarks that dacoity was disastrous and the police were helpless" (*vide* paragraph 60 of the report). It

is reported that a public spirited citizen offered to lead the police in March last to the dacoits' camp in the neighbourhood of Kashipur town and in response to this the superintendent of police did proceed to Koshipur and reached the railway station with a force of about a hundred strong one evening but he retraced his steps and returned back to his headquarters with his party by the next train. Presumably he did this out of regard for public interest and you will see from this how very irksome is our position specially as some of us have already received threatening letters purporting to have been written to us by the members of the gang. In a case in which possession of a pistol without a license at that a serious view should not be taken of a part of the province where dacoities had been fairly numerous of late years and there was a presumption that any person found in possession of such a weapon had obtained it for the purpose of self protection (Revision No 680 of 1918)

Under these circumstances we beg leave to admit that possession of such weapon as we have surrendered in obedience to your orders is absolutely essential for purposes of self defence for persons of our status and we hope that on reconsideration you will be pleased to cancel your orders under reference so that our arms may be restored to us

It is unfortunate indeed that some time the zamindars and other respectable people are deprived of the right of possessing fire-arms by licence, while Anglo-Indians of the position of a railway guard are being granted licences, even for revolvers. The Government of India, whose vision is certainly broader than most of the District Magistrates may not, perhaps like them, be so narrow-minded, but their impetuosity has no limit. Let us, therefore, put a brake upon their rashness and local prejudices by an express provision of the Act

(4) The present Arms Act requires or it is at least a practice in some of the districts, to bring or send the arms, after having brought it to the collectorate to have the number of the arms endorsed on the licence and I know a good many instances of a few Englishmen of higher service—District Judge and Joint Magistrate—who instead of sending or bringing their arm to the collectorate, they just send a letter or a chit to the collectorate and give the number of arms in it for endorsement. I am of opinion that nobody should be required to bring or send his arms for endorsement to the collectorate, he should just mention the number of the arms in a letter addressed to the authority concerned, or if it is necessary at all that the arms should be presented before the endorsement-authority, then each and every one, whatever position he may hold, should be required to present his arms before the endorsement-authority and no letter or chit should be permitted to any one

(5) The limit of 200 cartridges per rifle is one of the most important questions from the sportsman's point of view, if this limit means 200 cartridges per rifle per year then certainly it will be most objectionable, 200 cartridges will never be sufficient even for a month in a sporting district, but if it means that not more than 200 cartridges can be bought or kept at one time then there is not much objection. But why limit the number of ammunition at all? When the Government relies on a person for an arm with a certain limited number of ammunition, then I fail to understand why the same person should not be relied upon for an unlimited number of ammunition. Why should the Government of India be responsible for this sort of act and restriction, which is bound to create dis-

content in the country, or at least among the sportsmen, and make the Government unpopular. I know of no country in the world putting such sort of restriction on the amount of ammunition to be possessed by a licensee.

(6) There is one more important point to which I would like to draw the attention of the Government, which is about the punishment meted out to the holders of unlicensed arms and ammunition. Cases have been known where an Anglo-Indian has been fined a few rupees, and his arm confiscated, for unlawfully possessing an arm, while an Indian had to undergo a few months, simple or rigorous imprisonment for even unlawfully possessing a sword. In the eye of law there is no such distinction between an Englishman, Anglo-Indian or an Indian, then why the distinction in the punishment. There is no reason why should an Englishman or an Anglo-Indian escape by merely paying a few rupees as fine and a poor Indian has to undergo simple or rigorous imprisonment for the same offence. If I am right there is a provision in the Government Order No. 454-VI-989, dated 14th March 1887, which clearly says that the offences against the Arms Act "would as a rule be sufficiently punished by fine." I am afraid this order of the Government is never acted upon. There must be a uniformity in the punishment of an Englishman, Anglo-Indian or an Indian under this Act, and this will undoubtedly allay the bitter feeling of the racial distinction.

There is every probability that under the new rules, more applications for licences will be coming in. If, then, the reforms are in reality the first step on the road to self-government, then these applications should be dealt with in the spirit of real justice and right and not as a favour. There are no doubt several District Magistrates whose attitude towards such applicants has been reasonable, but unfortunately the majority of them are still too proud and not yet prepared to consider themselves as servants but always pose themselves as masters, and do not feel that a new era has set in. They ought to be told in plain words that the grant of a licence to an entitled person is never a special favour or a privilege but they deserve it as a matter of right. Let me quote here a sentence from the speech of Mr. Iswar Saran, M. J. A., delivered in the Legislative Assembly on the 8th September 1922 at Simla, who in other words truly represents the public opinion and this applies in each and every case. He says: "We do not want the white man to be our perpetual ruler, our perpetual trustee, our perpetual guardian. We have had enough of this everlasting trust. We extend to the white man, and I speak with absolute truth and sincerity, the hands of fellowship and good comradeship, but I do resent and as long as there is the last breath of life in me, I shall continue to resent the perpetual domination of the Civil Service or any other service....."

Unless the principle is accepted by the Government and faithfully acted upon by the District Magistrates any improvement upon the present Arms Rules will be a farce. I cannot emphasise upon this point too much. The entitled class should never be debarred from holding the licence except on the only ground of moral

turpitude. I must, however, make it clear that I do not regard any attempt on the part of an Indian to criticise the policy or the official of the Government or any desire on his part expressed in words or act to bring about a fundamental change in the policy of the Government, as amounting to moral turpitude. The District Magistrates must not allow themselves to be carried away by what they hear from the police or those unfortunate class of non-official people who are called the flatterers, official favour-seekers, title and job-hunters and sycophants, who as a matter of fact have taken on themselves the duty to always misrepresent the true spirit and condition of the country and the individuals, simply to satisfy their personal aggrandizements, and those unfortunate officials who are misled by this class of people, not only ruin their own reputation and position but that of the Government, too, along with them. They should always coolly form their own opinion, and without the least fear of contradiction I can say, that this class of people,—who are never considered anybody in public eye, who always mislead the officials and hence the Government—are unfortunately the chief and the only root cause of all the present discontent and situation in this country. The personal considerations would defeat the ends of justice and fair play and bring a bad name to the Government.

With due respect to the President of the Arms Rules Revising Committee, I may say that I do not for a moment accept the arguments sometimes put forward before the witnesses, that the presence of too many arms may prove dangerous to the public on such occasions as the Arrah or Katarpore riots. I wonder why no such riots ever take place or have ever taken place in any of the Indian States, although the use of arms there is almost freer than in British India. It entirely depends, if I may say so, on the temperament of the people and the way in which delicate situations are handled by the Government. In the Indian States, there is no such thing as quarrels between the Hindus and the Musalmans, probably because their rulers do not seem to have yet adopted the unwise policy of the "divide and rule."

If I remember it right the Committee had decided that the powers of fixing the number of licences in any district, in the case of necessity should still remain with the local Government. May I just say a few words about this—and finish this minute of dissent with the hope that these new rules will be dealt with a new and a broader vision—I do not think there is any harm if the local Governments be given such powers, but, before limiting or reducing the number of licences in any particular districts, I hope the local Government will kindly announce through their local gazettes—at least a month before—the name with the date of the district where this new order is to be enforced, and also the reasons for doing so, with the opinion, if possible, of some of the leading officials and non-officials of the district concerned, then and then alone should the local Governments be empowered to enforce this order.



*Government of India, Resolution, No. F.—829-1-22, dated the 3rd November 1923.*—In pursuance of a resolution moved in the Legislative Assembly on the 8th of February 1922 by Baba Ujagar Singh Bedi, a Committee was appointed by the Governor-General in Council to examine the Indian Arms Rules, 1920, and to make recommendations with a view to their amendment. In accepting this resolution the Governor-General in Council had made it plain that there could be no departure from the two principles :—

(1) that there should be no RACIAL DISCRIMINATION in the rules, and (2) that the Government must retain the power to IMPOSE RESTRICTIONS to prevent arms and particularly fire-arms from falling into the possession of lawless or dangerous persons.

The Committee submitted its report in November 1922. On the 15th of February 1923 the Hon'ble Home Member stated in the Legislative Assembly that subject to enquiries from local Governments and other authorities concerned on certain points of detail the Government of India were prepared to accept the main recommendations of the Committee. They could not, however, announce their decision on all the recommendations made without prior consultation with local Governments who are in charge of the detailed administration of the rules. Local Governments accordingly were asked for their views and at the same time were requested to give effect as far as possible to the principles adopted by the Committee where this was feasible pending the modification of the rules of 1920. The replies of local Governments have now been received and have been fully examined by the Government of India. The Indian Arms Rules, 1920, have been amended where necessary and are now republished as the Indian Arms Rules, 1924 : but many recommendations accepted in whole or in part involve no amendment of the rules, and on these the Government of India are now pleased to announce their decisions.

In paragraphs 3 to 7 of their report the Committee deal with the QUESTION OF EXEMPTIONS. The Government of India agree with the general principle adopted by the Committee that the confinement of the privilege of exemption is in the special circumstances of India preferable to its total abolition. They accept the conclusions regarding entry 1-(a) and entries 11, 11-(a) and 11-(b) of the schedule of exemptions, but they only agree to the proposal that members of the Imperial Legislature should enjoy exemption for their term of office with some reluctance. It is opposed by local Governments on the one hand, as creating an invidious distinction between the members of the Central and of Provincial legislatures, and on the other hand certain members of the Central legislatures claim a life-exemption and not merely exemption for their terms of office. As regards entry 6 (d), 6 (f), 6 (g), and 6 (i), enquiries have been made from the local Governments concerned. They are averse from the preparation of lists in the sense recommended by the Committee. It is pointed out with justice that exemption is not conferred on certain Great Sardars or Zamindars as a right but as a privilege and that if the term were precisely defined and a list of all persons who came within that definition were maintained the fact of inclusion in the list would encourage claims for exemption

as a matter of right. Moreover, the compilation of list on a logical and uniform basis throughout India would present difficulty and would inevitably result in anomalies. The most expedient course, therefore, and that which will secure the maintenance of the principle that exemption is a privilege and at the same time minimise the inconvenience referred to by the Committee, is to attempt no definition of the terms Great Zamindars or Great Sardars or the like in the rules and the schedule, but to leave it to the several local Governments themselves to determine what persons or classes of persons should be included in these categories. The schedule has therefore been amended accordingly.

3. The Government of India after consultation with the local Government on the Committee's observation on entry No. 7, are of opinion that there is no necessity to retain entries 7 (c) and 8 of schedule I in view of entries 8 and 9 of schedule IV. The proviso therefore to entry 7 (c) in column 3 automatically disappears. As regards the recommendation that the same privilege should be extended to the districts of Campbellpur, Rawalpindi and other districts adjoining the North-West Frontier Province, the local Government after careful consideration, have reported that no extension of this privilege is required, but in order to meet the danger of raids in the Attock District, suggest that power be given to them to issue licences for going armed in that district without payment of fee. The Government of India accept this suggestion and have accordingly amended the heading of the appropriate licence form. As regards entry 13, after careful consideration, they have decided that the words "or the Commander-in-Chief" should be added.

4. The Government of India accept the recommendation made in paragraph 4.

5. In paragraph 5 the Committee recommend that all exemptees should register the arms in their possession in respect of which they enjoy exemption and that registration should be compulsory. The Government of India accept the principle of registration but have decided that registration should be confined to firearms, and that no fee should be charged. In practice, they consider it would suffice if every exemptee were required to furnish the District Magistrate with information as to the weapons in his possession, failure to do so rendering him liable to the cancellation of his exemption.

6. To give effect to the recommendation regarding entries 11, 11A and 11B the Government of India have decided that those entries will be deleted from the schedule and that no mention will be made of those classes in the revised rules. Every person now enjoying the privilege of exemption under these entries in the rules of 1920 or under entry 12 thereof, since the same considerations apply in their case also, will, on application, receive free of all fees, a licence in form XVI, specially made valid for the lifetime of the licensee in respect of any arms now in his possession and hitherto exempt from licence provided he applies within six months of the coming into force of the rules of 1924. The privilege will not of course extend to title-holders, who received titles after the 1st of

January 1920, who unless otherwise exempt, will, as before, be required to take out a licence under the rules.

7. In paragraph 8 the Committee recommend that in extension of the classes described in Home Department resolution No. 2124-C., dated the 21st March 1919, (page 1 *ante*) the payment of Rs. 500 land-revenue, of Rs. 100 in roads and public works cesses, any payment of income-tax, and in the case of a Government servant receipt of a pay of Rs. 100 a month and upwards should be the qualifications constituting eligibility for what is commonly known as the "ENTITLED CLASS." The Governor General in Council accepts the principle underlying this recommendation that the grant of licences should be less restricted, and more FREE FROM IRKSOME ENQUIRIES than was represented to be the case by many witnesses examined by the Committee and agrees with the qualifications suggested by the Committee as providing sufficient *prima facie* justification for the possession of arms. He is unable, however, to accept the recommendation that provisions recognizing and constituting an "ENTITLED CLASS" should be embodied in the rules. Conditions vary greatly in different provinces in India. In some quarters a practice is in force more liberal than that recommended by the Committee; but in others it is necessary in the interest of law and order to secure that arms do not fall into the possession of lawless or disaffected persons, and therefore they are unwilling to embody in statutory rules any provision which would have the effect of curtailing the power or discretion of the District Magistrate in ordering enquiries. The term "ENTITLED CLASS" is somewhat unfortunate. The rules as now framed contain no provisions inconsistent with the principle underlying the recommendation of the Committee, but the term "ENTITLED CLASS" has created the erroneous impression that there is a special class, enjoying fewer privileges than the exemptees, but greater than those who are neither exemptees nor members of the "ENTITLED CLASS." There is of course no such special class. The term is merely intended to comprise all those whose means and status *prima facie* connote respectability and therefore justify the presumption that they are fit and proper persons to possess arms. While therefore no mention will be made of an "ENTITLED CLASS" in the statutory rules, at the same time the Government of India are anxious that the qualifications recommended by the Committee should be generally adopted by the local Governments and should be made widely known. Where, however, a local Government has laid down more liberal qualifications, these should not now be abandoned. They cannot support the recommendation that lists of the "ENTITLED CLASS" should be maintained; the qualifications are so low that each district list would be voluminous, and its preparation and maintenance would involve the appointment of a special staff. The expenditure and labour involved would be wholly incommensurate with the results obtained.

8. In paragraph 10, the Committee recommend that where enquiry is necessary the agency of the police should not, if possible, be employed; but that if no other AGENCY OF ENQUIRY is available a licence should not be refused on the strength of a police report alone but only after a further magisterial enquiry. The Government

of India are unable to concur in this recommendation and are constrained to deprecate a reflection on the good faith of the police. The replies of local Governments indicate that it is impossible to eliminate enquiry by the police in the cities and that owing to the shortage or absence of suitable revenue staff, no other agency is available in many district areas. At the same time the replies show that enquiry is frequently carried out by other agencies where these are available. The Government of India are of opinion that the agency of enquiry is really a matter for local Governments and are accordingly adverse from imposing any restriction on the choice of agency. They leave the matter in the hands of local Governments who will, they are confident, take all steps necessary to secure that whatever previous enquiries are necessary they are promptly carried out, and in a manner which is neither inquisitorial nor calculated to wound the self esteem of the applicant.

9 The Government of India are in complete agreement with the recommendation made in paragraph 11 that ordinarily NO ARBITRARY LIMIT should be imposed on the NUMBER OF LICENCES issued in a district but that local Governments should have the discretionary power of limiting the number of licences in any area or district in which the number of arms justifies the apprehension of serious danger or in which such restriction is deemed necessary for the maintenance of public tranquillity. They accept the recommendation in paragraph 12 and have provided for the right of appeal by an amendment of the rules. [The recommendation in paragraph 13 is accepted subject to a partial reservation as to the proposal that the duration of the licence should be for the calendar year. Local Governments have pointed out that in practice inconvenience would arise and would prefer that licences for possession and going armed and for protection of crops or destruction of wild animals should run from the date of issue, but have no objection to other licences being issued for the calendar year. The Government of India agree with the views of the local Governments.]

10 In paragraph 14 the Committee have dwelt on the inconvenience to which PERSONS DESIROUS OF PURCHASING WEAPONS are put because they cannot produce the weapon when applying for the licence necessary for its possession. The Government of India agree with them that it is not necessary to provide for issue of temporary licences in such cases and accept the recommendation that a regular licence should be issued at the time the applicant applies for a licence, if the application is granted. Provision has been made in the condition attaching to the appropriate licences for the details of purchases to be filled in on the form by the dealer from whom the purchases are made and also, to meet criticism offered in this respect, for details to be furnished to the licensing authority by the licensee himself in any case in which he purchases arms and ammunition from any person who is not a licensed dealer.

11 The Government of India accept the principle of the recommendation made in paragraph 15 that a TEMPORARY LICENCE for 14 days should be given to persons arriving in India by sea and not in possession of a regular licence on the payment of full fee by the

Customs authorities. It is however open to objection in detail. The period clearly will in many cases be too short for the object in view ; the payment of the full fee to the Customs authorities will deprive local Governments of their legitimate revenue ; and finally it is doubtful whether the agency of the Customs authorities is altogether suitable for the purpose. The Government of India have therefore decided that a temporary licence for the period of the journey to destination, should be granted by the Commissioner of Police at Bombay, Madras, Calcutta, Rangoon, or the District Magistrates at other ports, on a special form on the payment of a fee of Re. 1 for each weapon and that on arrival at destination a regular licence should be taken out in the ordinary way. No practical difficulty need be anticipated. It will be made clear in the form of temporary licence that it does not cover possession after arrival at destination. Travellers arriving in India possessing no regular licence and desirous of obtaining one should inform their agents beforehand of the weapons they intend to import and instruct them to obtain the necessary temporary licence. On arrival at destination they should apply for the licences required in the ordinary way.

12. The Government of India accept the recommendations made in paragraph 16. The conditions of the licence forms have accordingly been altered so as to make it compulsory to REPORT THE LOSS OF FIRE-ARMS. A note has also been appended to the licence forms explaining that the breach of any of the conditions of the licence renders the licensee liable to the penalties which may be imposed under the Act.

13. The Government of India accept the recommendations made in paragraph 17, 18, 19 and 20 and trust that local Governments will give effect to them both in the letter and the spirit. As regards paragraph 20 they agree that the District Magistrate or any Magistrate in charge of a sub-division in the District in which the licensee is residing or in any other district in which he is known should be empowered to RENEW A LICENCE. In any case of doubt it is always open to such Magistrate to make enquiries from the licensing authority which originally granted the licence.

14. In paragraph 21 the Committee state their recommendation in regard to FEES. There is some diversity of opinion in the replies received from the local Governments, some accepting the proposal, some recommending no charge and others putting forward variants of their own. The principal objection is the loss of revenue which will result from the adoption on the scale proposed by the Committee ; in some quarters, too, it is suggested that the large number of arms-licences issued does not justify the belief that persons who require weapons are deterred from purchasing them by the high cost of the licence. The Government of India are impressed by the substantial loss of revenue which complete acceptance of this recommendation will entail. On the other hand they cannot overlook the fact that stress was laid on the desirability of reducing the fees before the Committee, particularly in the case of breech-loading weapons, by many of the witnesses who were examined. They have accordingly decided that the initial fees should remain unchanged



and the licence form granted to dealers has accordingly been amended so as to include a column for the names of duly authorized assistants.

18. The recommendation contained in paragraph 30 does not commend itself to the Government of India. They apprehend that the CARRYING OF FIREARMS BY FEMALES might have dangerous results, and would only expose such females to attack from lawless persons desirous of stealing weapons. In their opinion it should be possible to meet the situation which the Committee appear to have had in mind by the entry of certain specified members of the licensee's family as retainers.

19. On the recommendation made in paragraph 32 urging RECIPROCITY WITH INDIAN STATES the Government of India are not in a position to make any announcement. They have taken up the matter with the various States, and negotiations are proceeding.

20. The changes in the rules necessitated by the acceptance of these recommendations have been made; and the rules are now published as the Indian Arms Rules of 1924. It has not been found possible to accept *in toto* the recommendations of the Committee in regard to the FORM IN WHICH THE RULES should be published. They advised a separation of the technical directions intended for dealers from the rules governing the grant of licences for possession of fire-arms for private purposes. An attempt was made to draft the rules on this principle, but it was wholly unsatisfactory, and was accordingly abandoned. The Indian Arms Rules of 1920 follow the order of the sections of the Act; this is obviously the logical arrangement of the rules and it is clearly convenient on administrative grounds that the sections of the Act and the rules should be in the same sequence. Moreover, the difficulties of interpretation to which the Committee have adverted are due far less to inherent obscurity or to the incorporation of technical directions, than to the fact that they are not self-contained. To be properly understood they must be read in conjunction with the Act and with the schedules and such difficulties as the ordinary member of the public feels, will not be solved by the publication of a paraphrased or abbreviated addition of the rules but by the dissemination of information as to the correct procedure of applying for and securing a licence. The Government of India have accordingly prepared for such use as local Governments may consider suitable a short pamphlet in popular language, describing the procedure regulating the application for licences for the possession of firearms for purposes of sport, protection, show and the like. They trust that this pamphlet will be translated into the various vernaculars and that publicity will be given to it.

21. In conclusion the Governor-General in Council wishes to express his appreciation of the labours of the Committee. The Indian Arms Rules of 1920 evoked much criticism and many defects were removed as they were pointed out. But much remained to be done when the Committee was appointed in 1922, and their business-like and practical recommendations coupled with a sympathetic

administration of the rules by the local Government<sup>2</sup> should go far towards removing any dissatisfaction which may still remain.

*A brief explanation of the Rules affecting the possession of arms by private individuals*

1 Complaints have been made that the Indian Arms Rules are not easy to understand. They contain many technical directions of an interest to the private person who desires to possess arms for private purposes, they have been modified from time to time and have been considerably revised this year (1923-24) and as they have to be read in conjunction with the Act and the schedules, the layman sometimes finds it hard to ascertain the procedure he should follow in order to secure a licence and to understand the conditions on which he may keep arms. This pamphlet has been prepared, therefore, with a view to explaining to the public the procedure laid down for obtaining and renewing arms licences, purchasing ammunition, carrying weapons on journeys, importing or exporting weapons for private use and the like. It does not purport to be an exhaustive paraphrase of the Rules but merely sets forth in language free from legal technicalities, what the procedure is without touching on matters connected with the manufacture, import, export and sale affecting dealers.

2 Every person who is not specially exempt from the operations of those sections of the Act which prohibit the keeping or carrying of arms without a licence must take out licences to cover any arms or ammunition which he possesses or wishes to purchase. A list of the persons and classes of persons so exempt will be found in Schedule J of the Indian Arms Rules 1924. Persons exempt however are subject to the following conditions—

(i) the number and description of arms in respect of which exemption is enjoyed may be restricted under separate orders issued by each local Government. Where such orders are in force, arms in excess of the prescribed numbers or descriptions must be covered by licences, (ii) all fire arms (and ammunition) in a person's possession must be registered in such manner as the local Government may prescribe, (iii) the loss or theft of any arms or ammunition must be reported forthwith at the nearest police station, and (iv) arms or ammunition may not be imported through the post office, and in Burma may not be de patched through the post.

Orders regarding conditions (i) and (ii) are issued separately by each local Government in regard to its own territory. It is not possible, therefore to state here what they are, but the necessary information will be easily obtainable from a Commissioner of Police in a Presidency town or the nearest Magistrate. In the old rules, 1920, the list of exemptions was much larger than it is now; and certain categories have been excluded from the new schedule. Such persons now excluded but exempt under the rules of 1920 will be required to obtain a life certificate of exemption free of fee in respect of the weapons in respect of which they now enjoy exemption provided they apply within six months of the issue of the Rules of 1924.



3. Generally speaking, that is, outside the provinces of the Punjab, Burma and Delhi, licences are not necessary to cover possession of arms other than fire-arms *e.g.*, SWORD-STICKS, DAGGERS, SPEARS, etc., but it may happen that in particular districts or cities in other provinces under special orders of the local Government, licences in respect of such arms may be necessary. As, however, orders of this description are issued in a time of emergency and rescinded when the emergency has passed, it is not possible to include details in this pamphlet and persons who may have doubts are therefore advised to make enquiries from the Commissioner of Police in the Presidency Towns and elsewhere from the nearest Magistrate. (Where necessary, licences for arms of this description are issued for a fee of eight annas for each weapon. Otherwise, throughout British India with the exception of a few scattered districts, details of which may be found, if fuller information is desired, in schedule IV to the Indian Arms Rules, licences to cover possession of and going armed with all firearms are necessary. These are of various kinds and the applicant should make up his mind which form of licence he requires before submitting his application. For example :—

4. Licences may be given entitling the holder to keep arms (other than pistols and revolvers) and ammunition in a certain place but not to go armed ; or again,

Kinds of licences.

Licences may be given permitting the holders to possess arms and go armed for the purpose of sport, protection or display ; or again.

Licences may be given to possess arms and go armed for the destruction of wild animals which do injury to human beings, cattle or crops—(These are intended mainly to help cultivators and are granted free of fees) ; and, lastly,

Licences may be given to go armed on a journey.)

5. It may be asked whether everybody is entitled to a licence on payment of the prescribed fee. The answer is in the negative. Any person of course may apply for a licence, but the grant of licences is governed by the broad principle that arms and ammunition must not be allowed to fall into the hands of lawless people. It is clearly impossible for all applicants to be personally known to the licencing authority, who in order to discharge properly the responsibility laid on him, must in many cases cause enquiries to be made, through any agency he deems best, into the *bona fides* of the applicant and his fitness to possess arms before he can grant a licence. (The Government of India have, however, laid down certain qualifications the possession of any one of which, connotes, in their opinion, sufficient evidence of respectability to warrant the grant of a licence without further enquiry unless the licensing authority has a sufficient and definite reason for refusal or for ordering enquiry. These qualifications are :—

Persons who may apply for licences.

(a) Membership of any Order established by the Crown or the possession of a title conferred or recognized by the Government of India or of the Kaiser-1 Hind Medal or a Certificate of Honour — (b) Membership past or present to the Indian Central or Provincial Legislatures — (c) Payment of not less than Rs 500 land revenue or Rs 100 in roads or public works cesses, or any payment of income-tax — (d) Being a Government officer in receipt of a salary of not less than Rs 100 per mensem — (e) Being a Commissioned or gazetted officer of His Majesty's Naval, Military or Air Forces, Indian Marine Service or a Commissioned Indian Officer of the Imperial Service Troops in active service — (f) Being a pensioned officer who before retirement was by virtue of his official position included in (d) or (e) above }

(6) The licence which is most generally required is that which will enable the holder to possess arms and go armed for purposes of sport, protection or display. This licence is granted in Form XVI and anyone wishing to obtain it should apply either in person or by post to the Commissioner of Police in Presidency towns and elsewhere to the nearest District or Sub-Divisional Magistrate unless the applicant ordinarily resides in an Indian State and may have occasion to visit British India in which case he should apply to the Political Officer of his State.

(7) Details of the FEES chargeable for a licence in this form will be found on reference to the heading of Licence Form XVI — Broadly, they are —

(i) for a breech loading revolver or pistol Rs 10 — (ii) for any other breech loading weapon Rs 5 — (iii) for any other weapon annas 8

These rates apply to a licence granted for the first time. On renewal fees at half these rates, except in the case of the last named, will be charged.

There are, however, certain classes of persons who, in virtue of their past or present civil or military service, have been exempted from the necessity of paying FEES for licence in this form. Details of these will also be found in Schedule VII. Otherwise, where payable, fees may be paid either by means of a non-judicial stamp affixed to the application or in cash at the option of the applicant.

8 Licences in Form XVI are originally granted for one year from the date of issue and for the most part hitherto have been valid only in the district in which they were granted. Licensees should, however, realize that if they wish to avoid the inconvenience of annual renewal they may apply for a LICENCE VALID FOR A PERIOD NOT EXCEEDING THREE YEARS which will be granted on payment of a compounded fee. A licence in this form may also be made valid for the whole of British India and the practice of giving such all-India licences has been encouraged in order to minimise the inconvenience otherwise caused to persons

who move frequently from one district to another. It should be observed that a condition attaching to a licence specially made valid for the whole of British India is that its validity is subject to such restrictions as may be imposed by a local Government in respect to its own territory. *e. g.*, countersignature by a local officer of a licence granted or renewed by an officer of another province, etc., and holders of such licences are advised in their own interests to ascertain, when they have occasion to go outside the province in which they originally obtained their licence or subsequently had it renewed, whether any such restrictions have been imposed in the province to which they have gone. This information will be readily obtainable from the nearest licencing authority in the new province who will also, in most cases, be in a position to regularize the licence if this is necessary.

9. The amount of AMMUNITION FOR REVOLVERS, PISTOLS AND RIFLES OTHER THAN '22 BORE, which the licensee is entitled to possess at any one time or within the period of validity of the licence will be entered on the licence. This amount is determined by local Governments and all purchases of ammunition for these weapon must be entered on the licence form by the vendor but there is no necessity for the latter to enter purchases of any other kind of ammunition on the possession of which there are no restrictions nor has he any need to enter on any form of licence purchases of any kind of ammunition, other than that for rifles of '303 or '450 bore (and revolvers or pistols of '450 or any intermediate bore) (to effect the purchase of which ammunition possession licences have to be taken out even by persons otherwise exempted) made by persons who are exempted from the necessity of taking out licences.

(10. Where a licence is valid only for the district in which it was granted and the holder wishes to carry his weapons on a JOURNEY or in cases in which the licensee wishes to go on a journey accompanied by his retainers who are accustomed to bear arms when accompanying him, a licence is required for which a fee of four annas is charged for all weapons except revolvers or pistols for which a fee of Rs. 10 is exacted.) These licences are obtainable from a Commissioner of Police, a District Magistrate or a Sub-Divisional Magistrate specially empowered to grant them and as the law requires an officer who receives an application for a journey licence to obtain the previous approval to its grant of the proper authority of the place of residence of the applicant in cases where the latter does not reside within the jurisdiction of the officer to whom application is made or not personally known to him, unless for any special reason this precaution is considered unnecessary, persons are advised to allow for the delay that such enquiries must cause by submitting their applications some time before the actual date of the journey. It should also be noted that a journey licence does not entitle the holder to use the arms covered by it for purposes of sport in the course of his journey. A licensee holding a district or a provincial licence wishing to proceed to any place outside the dis-

strict or province for sport should have his licence made valid for that place and that for the journey thereto or, and he is advised to do this, got his licence made valid for the whole of British India

(11) The conditions attaching to the grant of any licence are printed on the form itself. These should be carefully noted and observed as the infringement of any one of them constitutes an offence under the Indian Arms Act and renders the holder of the licence liable to prosecution. Prominent amongst these conditions are those which require the giving of information forthwith at the nearest police station of the loss or theft of any arms or ammunition and the embargo on the taking of arms to a FAIR RELIGIOUS PROCESSION OR OTHER PUBLIC ASSEMBLAGE unless specially authorised to do so.)

(12) As has already been stated, licencees to cover possession and going armed are granted for a period of from one to three years. When this period is nearing expiry, if the arms covered by a licence are still in the holder's possession, he should apply for renewal of his licence. Such an application should be addressed either to the authority who granted the licence or the nearest District or Sub-Division Magistrate according to which officer's headquarters are nearest to the applicant's place of residence for the time being. PRODUCTION OF ARMS is not usually demanded before a licence is renewed but it should be understood that it rests with the licensing authority to demand this if he deems it necessary. The original licence should, of course, accompany all applications for renewal. In many cases PERSONAL APPLICATIONS will be found most speedy and convenient and are therefore encouraged where persons reside at head quarters stations or in cities and towns but there is no objection to the submission of these applications through the post. It has already been stated that fees for renewal are, with one exception, muzzle loading firearms and other arms, half the original fees. In this connection it should be noted, however, that licensing authorities have discretion to levy fees at the original rates in respect of renewals where the application for renewal is not received within a month following the date of expiry of the licence and where there is no sufficient excuse for the delay.)

(13) Private individuals frequently wish to import firearms into India as part of their personal luggage. If a licence covering possession in India has been obtained beforehand or if a person is one of an exempted class no difficulty arises as on production before the Customs authorities of the licence or proof, if required, of exemption the arms can at once be cleared since in these cases no special licence to cover import is necessary. In the majority of cases however, concerning non exempted persons, the arms are not covered by a possession licence and in cases of this kind where a person's final destination in India is not the port of arrival, a licence covering temporary possession during the period of the journey from the port of disembarkation to the place of destination can be obtained on payment of a fee of Re 1 per weapon from

Arrangements for  
travellers arriving in  
India by sea

the Commissioner of Police or District Magistrate at the port of arrival. This will enable an individual to take his weapons with him on his journey up-country but on arrival at his destination he must take out a regular licence in the ordinary way. The objection that there may be no time on arrival in which to obtain a TEMPORARY LICENCE of the kind described from the Commissioner of Police or other authority can easily be met by the individual instructing his agent in advance to obtain this licence on his behalf to cover the weapons he is bringing with him and a description of which should be furnished to the agent. The great advantage of this procedure is that the importer will be able to proceed at once on his journey with his weapons in his possession instead of leaving them in deposit with the Customs authorities until a proper licence covering possession can be obtained in respect of them.)

( 14. RIFLES OF '303 AND '450 BORES AND REVOLVERS OR PISTOLS OF '450 BORE, [and revolvers or pistols of '441', '455 or any intermediate bore] are not allowed to be imported into British India except under the special sanction of the Government of India which is only given for exceptional reasons. This prohibition applies to all weapons the bore of which is of the dimensions given irrespective of the dimensions of the chamber or "lead" and whether, as manufactured, Government ammunition can or cannot be used in them. Even persons who have been granted the privilege of exemption have had it restricted in this respect to weapons which have been lawfully imported into British India and no licensing authority is permitted to give a licence to cover possession of such weapons to non-exempted persons unless he is satisfied that they have been lawfully imported. This can only be the case if special permission has been obtained or the weapons were in India before the prohibition against import came into force, i.e., in the case of the rifles before January 1901, and of revolvers or pistols before the latest Arms Rules, those of 1924, came into force. To ensure, however, that persons who own such rifles lawfully for sporting purposes and revolvers or pistols obtained before their import was prohibited, may obtain ammunition for the same in reasonable quantities provision has been made in the Rules to permit of selected dealers being allowed to import and sell such ammunition to qualified persons, i.e., those who hold licences covering possession of the same. )

Rifles, revolvers and pistols of prohibited bores.

15. Private individuals are not required to obtain any special licence to cover the EXPORT OF ARMS and AMMUNITION which they may desire to take out of the country with them or send out of India provided these are of a reasonable quantity and their possession in India is covered either by a licence or by exemption.

16. In the Appendix which follows will be found the list of exempted persons [Vide Schedule I, of the Rules], of persons entitled to a life certificate, [\*below], persons who are not required to pay fees for possession licences [Vide Schedule VII,] and specimen copies of the licence forms [i.e., Forms Nos. XIV, XVI, XVII, XVIII, XIX and XX in Schedule VIII.]

\*1. All individual members of the undermentioned classes who were as such exempted under the Indian Arms Rules, 1909, immediately before the coming into force of the Rules of 1920.—

(a) members of any Order of Knighthood, (b) persons holding the Kaiser-i Hind medal, (c) persons holding titles conferred or recognised by the Governor General in Council, (d) persons holding swords or other arms received as gifts from the Governor General in Council or a local Government, (e) persons holding certificates received on the occasion of the assumption of the title of Empress of India by Her late Majesty Queen Victoria, (f) retired officers (other than retired subordinate, warrant, petty and non commissioned officers) of the Royal Navy and retired British and Indian officers within the meaning of section 7 (1) and (2) of the Indian Army Act, 1911, in receipt, as such, of a pension, and (g) landholders and members of a Municipal Board or a Committee designated for exemption in any list issued in this behalf of a local Government.

2. All persons who before the 1st day of January 1920, had been admitted as members of the Distinguished Service Order, the Imperial Service Order, the Indian Order of Merit or the Order of British India, or had been awarded the Victoria Cross, the Military Cross, the Distinguished Flying Cross the Distinguished Conduct Medal, the Distinguished Flying Medal, the Long Service and Good Conduct Medal, the Volunteer Decoration, the King's Police Medal, the Volunteer Long Service Medal or the Indian Distinguished Service Medal.

3. Retired officers (other than retired subordinate, warrant, petty and non commissioned officers) of the Royal Navy and retired British and Indian officers within the meaning of section 7 (1) and (2) of the Indian Army Act, 1911, in receipt, as such, of a pension, who retired after the 31st December 1919 and before the 1st July 1921, and are resident in the Punjab

4. Such of the second and third class Sardars of the Decan, of the second class Sardars of Gujrat and of the Mehwas Chieftains in the Bombay Presidency as were exempted under the Indian Arms Rules, 1909, and Meherbhan Fettehsing Gumansingh, the Chieftain of Chikeli.

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## THE INDIAN ARMS ACT, XI OF 1878.

PREAMBLE. SECTIONS. *I.—Preliminary.*

1. Short title,—Local extent,—and Savings.
2. Commencement.
3. Repeal of enactments.
4. Interpretation-clause.

*II.—Manufacture, Conversion and Sale.*

5. Unlicensed manufacture, conversion and sale prohibited,

*III.—Import, Export and Transport.*

6. Unlicensed importation and exportation prohibited.—Importation and exportation of arms and ammunition for private use.
7. Sanction of Local Government required to warehousing of arms, etc.
- 8, 9. [*Repealed.*]
10. Power to prohibit transport.—Transshipment of arms.
11. Power to establish searching stations.
12. Arrest of persons conveying arms, etc. under suspicious circumstances, Procedure where arrest made by person not a Magistrate or a police officer.

*IV.—Going armed and possessing Arms, etc.*

13. Prohibition of going armed without licence.
14. Unlicensed possession of fire-arms, etc.
15. Possession of arms of any description without licence prohibited in certain places.
16. Arms, of which possession has become unlawful, to be deposited at police-station.

*V.—Licences.*

17. Power to make rules as to licenses.
18. Cancelling and suspension of license.

*VI.—Penalties.*

19. For breach of sections 5, 6, 10, 13 to 17.
20. For secret breaches of sections 5, 6, 10, 14 and 15.—For concealing arms, etc.
21. For breach of licence.
22. For knowingly purchasing arms, etc. from unlicensed person.—For delivering arms etc. to persons not authorized to possess them.
23. Penalty for breach of rule.
24. Power to confiscate.

*VII.—Miscellaneous.*

25. Search and seizure by Magistrate.
26. Seizure and detention by Local Government.
27. Power to exempt.
28. Information to be given regarding offences.
29. Sanction required to certain-proceedings under section 19, clause (f)
30. Searches in the case of offences against section 19, clause (f), how conducted.
31. Operation of other laws not barred.
32. Power to take census of fire-arms.
33. Notice and limitation of proceedings.

THE FIRST SCHEDULE.—ENACTMENTS REPEALED.—  
 THE SECOND SCHEDULE. [*Repealed.*]

## STATEMENT OF REPEALS AND AMENDMENTS.

Section 1 (b) amended in part by	...	Act XLIX of 1920, Sec. 35.
Sections 8 and 9 and Second Schedule	}	Act XII of 1891, First Schedule.
Repealed, and Section 14 Repealed in part, by		
Section 16 substituted by	...	Act XX of 1919.

## THE INDIAN ARMS ACT, XI OF 1878. [15th March 1878]

[AS AMENDED BY ACT XX OF 1919 AND ACT XLIX OF 1920]

An Act to consolidate and amend the law relating to Arms, Ammunition and Military Stores

Whereas it is expedient to consolidate and amend the law relating to arms, ammunition and military stores, it is hereby enacted as follows —

Preamble.

1.—*Preliminary.*

Short title  
Local extent.

1 This Act may be called the Indian Arms Act, 1878, and it extends to the whole of British India.

## NOTES.

"British India" shall mean all territories and places within His Majesty's dominions which are for the time being governed by His Majesty through Governor General of India or through any Governor or other officer subordinate to the Governor General of India (Vide sec 3 (7), General Clauses Act X of 1897)

Savings.

But nothing herein contained shall apply to—

(a) arms, ammunition or military stores on board any sea going vessel and forming part of her ordinary armament or equipment, or

(b) the manufacture, conversion, sale, import, export, transport, bearing or possession of arms, ammunition or military stores by order of the Government or by a public servant [or a member of either of the forces constituted by the Indian Territorial Force Act, 1920, or the Auxiliary Force Act, 1920] in the course of his duty as such public servant or member.

## NOTES

(1) This section was amended by Act XLIX of 1920 and the words 'or a member of either of the forces constituted by the Indian Territorial Forces Act 1920 or the Auxiliary Force Act 1920' were substituted for the words 'or a volunteer enrolled under the Volunteers Act 1868'. Under rule 46 [(8) and schedule VII 'any person who was enrolled as a member of a corps of Volunteers under the Indian Volunteers Act 1869, is however entitled to obtain a licence in Form XVI free of licence fee

(2) For definition of 'public servant' see section 21 I P O

(3) Any person can possess etc arms, etc in course of his duty—but heads of departments are prohibited from granting permits or passes to their subordinates to carry arms not required for duty (India letter No 1594 dated the 7th October 1895)

(4) Arms carried or possessed by officers of Government as part of their equipment and arms supplied by Government to subordinates of Government departments to be carried or possessed by them for their protection in the execution of their duty are not required to be licensed. Under clause (b) of section 1 of the Arms Act nothing in the Act or rules applies to the bearing or possession of such arms by such persons (India No 1246 dated the 16th October, 1919, and No 1171, dated the 17th May, 1921)

(4a) The following arms shall comprise the equipment of the officer of the Army or Royal Air Force for the purpose of this section



Officers holding Commissions from  
His Majesty the King.

Officers holding Commissions from  
His Excellency the Viceroy.

I sword ...

I sword.

2 revolvers or  
2 pistols or  
1 revolver and  
1 pistol.

.....  
Of no special pattern  
but one of the wea-  
pons must take Govt.  
ammunition of '455  
bore.

1 revolver (Webley '455 bore).

I Dirk ...

1 Skeen Dhu ...

Highland Regiments only

1 Kukri (Gurka and  
Garhwali Regi-  
ment only).

(India letter No. F. 21-XXX-23 dated the 15th March, 1914.  
and No. F. 21 XLVI. 25 dated 23rd October, 1925.)

(5) The **officers of the Army or Royal Air Force holding commissions** both from His Majesty the King and Excellency the Viceroy are entitled to be in possession as part of their equipment for the purposes of section 1 (b) of the Arms Act, of two swords, one Full Dress Pattern and the other Field Service Pattern, when so required by the "Dress Regulations for the Army." (India No. F-21-XXX-23 dated the 15th October, 1924.)

NOTE.—These orders apply to persons exempted under section 1 (b) of the Act. For the purposes of clauses (3) and (4) in Schedule VII, of the Indian Arms Rules, 1924, the above description of the equipment will apply to officers who retire after the 1st March 1926. Such officers are therefore entitled to a free licence for two revolvers or two pistols or one revolver and one pistol which formed part of their equipment provided that one of these weapons takes Govt. ammunition of '455 bore. Military officers who retired after the 1st March 1924, are entitled to free licences for revolvers or automatic pistols which are proved to have formed part of their equipment when in Service, irrespective of bore. For ex-officers of the Auxiliary force, equipment has not been defined, and licencing officers before issuing free licences, need only satisfy themselves that the weapons for which exemption is claimed actually formed part of the officer's equipment. (India No. F. 21-XXV-25 Police dated 28th July 1925.)

(6) The following arms shall comprise the equipment of an **officer of the Royal Navy** and of the **Royal Indian Marine** for the purposes of section 1 (b) of the Act,

1 sword.

1 rifle—303 SMLE, Mark III or III\*.

1 pistol—of no special pattern.

(India No. F-21-XXX-23 dated the 23rd October 1924.)

(7) An **overseer or a village postman**, who, under instructions from his superior, carries the necessary weapon "in the course of his duty" as overseer or postman, is protected by section 1 (b) of the Act from the prohibitions of the Act, and any special exemption of these officers appears to be unnecessary. (Bombay Resn. No. 8345, dated the 11th Dec. 1904.)

(8) No licence is required for the **export of arms, ammunition or military stores issued to Native States from British arsenals** under the orders of Government. Each consignment however should be covered by a certificate signed by the officer in charge of the arsenal, to the effect that it is exported by order of Government under section 1 (b). (India No. 1816 I., dated the 2nd June 1890 and 293G., dated the 5th Feb. 1920.)

(9) **Lead-cutting swords** imported by Native Cavalry regiments are under section 1 (b) of the Arms Act exempt from the operation of the Act. (India letter No. 860-878, dated the 29th March 1897.)

(10) A **sword or similar weapon used in marriage procession in Sind** may be carried free of licence fee with the permission of the local Magistrate but it should be borrowed from a person holding a licence and the name of the licence-holder should be stated in the application. (India letter No. 1641, dated the 28th July 1899.)

(11) In the District of Poona **Katyars or small daggers** which are used in marriage processions are excluded from the operation of the Arms Act. (Bombay Notn No. 3565. dated the 4th May 1897.)

(12) There are no sufficient reasons for granting the exemption applied for in respect of *Katvars*, in the districts of Ratnagiri and Nasik, but the necessities of such cases can be met, if District Magistrates arrange for Chief Constables to keep a certain number of these daggers and to issue them, either gratis or on payment of a small fee, for use in marriage processions. (Bombay Resa. No. 8121, dated the 8th Novr. 1897).

(13) Explosives required by a public servant in the course of his duty as such, are, under s. 2 (b), exempt from the operation of the Act and no license is therefore necessary for their importation. (India letter No. 445 dated the 7th Feb. 1908)

(14) A license granted under the Indian Explosives Act (IV of 1884), for transport, or importation of an explosive granted under the Indian Arms Act, 1878 4, IV of 1884.)

(15) 9. Bnm. 518—*Waia Hiraji v Hira Patel*—The sale of arms by the Nazir of the court, in execution of a decree is a sale by a public servant in discharge of his duty and is therefore excluded from the operation of the Arms Act. It is expedient for the court ordering such sale to give notice of the sale and of the purchaser's name and address as contemplated by s. 5 of that Act to the Magistrate of the district or to the police officer in charge of the nearest police station.

(16) 22. Ait. 323—*Luke*, A volunteer, being a person exempted in virtue of a notification of the Government of India, is not exempted merely with reference to his duties as a volunteer to possess firearms and to use them [NOTE — Under the Indian Arms Rules, 1920, Volunteers are required to obtain licenses to possess their private arms. Vide Note (1), page 39 ante].

2. This Act shall come into force on such day as the Governor-General in Council, by the notification in the *Gazette of India*, appoints.

[The Act came into force on the 1st Oct. 1878. (India notn. No. 1169 dated the 27th Juno, 1878)]

3. On and from that day the enactments mentioned in the first schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule. But all authorities and permissions given, licenses and exemptions granted, orders and appointments made, notifications published, and rules, conditions and forms prescribed under any enactment hereby repealed, shall be deemed to be respectively given, granted, made, published and prescribed under this Act.

And all such authorities, permissions, licenses and exemptions shall, except as otherwise provided by this Act, continue in force for the period for which they may have been given or granted, respectively, or where no such period is expressly fixed, for one year from the date on which this Act comes into force, and shall then cease to have effect

4. In this Act, unless there be something repugnant in the subject or context,—

"cannon" includes also all howitzers, mortars, wall-pieces, mitrailleuses and other ordnance and machine-guns, all parts of the same, and all carriages, platforms and appliances for mounting, transporting, and serving the same :

"arms" includes firearms, bayonets, swords, daggers, spears, spear-heads and bows and arrows, also cannon and parts of arms, and machinery for manufacturing arms :

"ammunition" includes also all articles specially designed for torpedo service and submarine, mining, rocket, gun-cotton, dynamite, lithofracteur and other explosive or fulminating material, gun-flints, gun-wads, percussion caps, fuses and friction-tubes, all parts of ammunition and all machinery for manufacturing ammunition, but does not include lead, sulphur or saltpetre :

"military stores" in any section of this Act as applied to any part of British India means any military stores to which the Governor-General in Council may, from time to time, by notification in the *Gazette of India*, specially extend such section in such part, and includes also all lead, sulphur, saltpetre and other material to which the Governor-General in Council may from time to time so extend such section :

"license" means a license granted under this Act, and "licensed" means holding such license.

#### NOTES.

(1) 4 Cr. L. J., 239—**Maung Shwe Thet**—Air gun not adapted for use with explosive substances and classed as toys for the purposes of tariff Act, was a toy and did not come within the definition of arms.

(2) 42 Cal 1153.—**Harsha Nath Chatterjee**—The word 'firearms' only means arms that are fired by means of **gunpowder** or other explosives.—Firearms as used in section 14 include parts of firearms.

(3) 1 S. L. R. 18.—**Wazu Walad Bangar**.—Whether a particular instrument is a **firearm** or not is a question to be determined according to the facts of each case and the circumstance that it is in an unserviceable condition is not sufficient to take it out of the category of firearms.

(4) 1 Weir, 658—**Kulappa Gramani**.—A **firearm** which is **defective** and otherwise **unserviceable** is not an arm within the meaning of the Act, and consequently not one for which a license need be taken out, even though it might be capable of being rendered serviceable by being repaired.

(5) 21 Mad. 360 **Jayaram Reddi** and A. I. R. 1923 Lah. 617—**Karm Din**—A **revolver with broken trigger** and **bolts and bars** for rifles come within the definition of "arms." Whether in any particular case an instrument is a **firearm** or not is a question of fact to be determined according to circumstances, and the circumstance that it is in unserviceable condition is not conclusive.

(6) 6 Mad. 60.—**Sidappa**—A gun rendered **unserviceable** by the **loss of trigger** does not fall within the definition of "arms." Possession of such a weapon without a license is no offence under section 19. [21 Mad. 360, above, overruled].

(7) 12 C. P. L. R., Cr. 8.—**Chaitoo Gond**.—The **unserviceable** remains of a **gun** could not be fairly described as a 'firearm' within the meaning of section 14, and do not require to be protected by a license under that section.

(8) 1 Weir, 653—**Rasool Sahib**—A **broken unserviceable gun** does not fall under the description of "part of arms" within the meaning of the section.

(9) 12 C. P. L. R. Cr. 10.—**Barwar Teli**.—A **gun barrel** so long as it can be used as a **gun-barrel**, is an arm within the definition of section 4, because it is a part of **firearm**. But it is not a "firearm" within the meaning of section 14, nor is it one of the other articles mentioned in the section.

(10) 7 Mad. 70.—**Vyapuri Kangani**—As a **gun-barrel** and **nipple** in serviceable condition fall within the definition of "arms" in section 4, the possession of such article, without a license is an offence under section 19 (f).

(11) 3 N L R 53 —Dhan Singh —An old fashioned muzzle loading gun-barrel in good condition and with the touch hole in good order is a firearm within the meaning of s 14. There is nothing in s 14 inconsistent with s 4 Firearms in e 14 include parts of firearms.

(12) 24 All 454 —Harpal —A pistol which is out of repair cannot be regarded as a weapon for offence or defence

(13) 6 P R, 1908 Cr —Samlulleh —A ravalver even if it is out of repair or is claggad from disuso is an 'arm' and a person in possession of it without a license is guilty of an offence under s 19

(14) 640 P. R. 1913 Cr —Harnam Singh —Possession of a Quackenbush

(15) A. I R. 1923, Lah. 617 —Karm Din.—Baits and bara af rifles are arms within the meaning of s 4 In order to fall within s 4 the weapon need not be in a serviceable condition

(16) 7 B. L. R. 340—Po Me.—To find out if a certain object is an 'arm' the test is to see the purpose for which it is intended—if it is for domestic or agricultural it does not fall within s 4

(17) 2 Lah. 291 Mangal Singh.—Whether or not a particular instrument is included in the expression 'arms' depends on the circumstances of the case

the Act is neither dangerous, and, the meaning of s 4. A weapon consisting of a plain lathi, a blade and two movable screws and so contrived that by loosing the screws the blade may be detached from the shaft made up of the lathi, is not "arm" as defined in e 4 although the weapon may be described as a pole axe Pole-nxa (ar Kanta) is not an arm for the purposes of the Arms Act

(19) 3 L. B. R. 1.—Ebrahim Dawoodji Babi Bawa.—The purpose for which in ordinary parlance, be no doubt that the (clasp Knives) before the court intended to supply weapons to persons who wanted efficient stabbing instruments. They could not be likely to serve any domestic purpose. Under the circumstances the knives fall within the definition of arms

(20) 1 L. B. R. 271 —Hmat Kyan —No weapon can be held to be an arm within the Act unless it is a weapon which would ordinarily be spoken of as an 'arm'. The purpose for which the implement is primarily intended regulates whether it would, in ordinary parlance, be spoken of as an arm and if it is not designed for use as a weapon of offence and defence, although it may be used as such, then it is not an 'arm'. A clasp Knife does not fall within the ordinary natural meaning of the word "arm"

(21) L. B. R. 1893-1900, 487 —Nga Po Thin.—The purpose for which a weapon is carried, cannot be a sufficient test of whether it is an "arm" or not. A clasp knife is not a dagger and is not designed or suitable for warfare. Therefore it does not come within the definition of arms

(22) 7 Bur. L. T. 165 —Me Thin —Though the exhibit knives were stout appearance he said to have been primarily them for offence or defence. They are

(23) 51 Cal 573 —Bishan Singh imported certain knives described as hunting knives and kept with him. The blade tapered gradually to a point

4 Page 42 43 section 4 Add as Note 23 (2)—

23 (2) A I R 1928 Rang 49—Nga Lu Gale —The criterion whether an implement should be deemed to be arms is the purpose for which the implement is primarily intended. A clasp knife which has a blade 5½ inches long, with a pointed end and is fitted to a long handle and turns over into the handle falls within the meaning of the word 'arms'

dagger was to stab whereas this instrument seemed to have been designed for ordinary use).

(24) 5 L. B. R. 130Cr.—Aung Ba.—A cook's knife is not an arm. The accused's conduct in manufacturing a sheath for the knife, to enable him to conveniently carry it about with him, does not convert it into an arm, unless the character of the knife, is altered (*e. g.*) by grinding it so as to make it double edged.)

(25) 9 Bur. 207 Nga Kya Nyo.—A table knife however carried or intended to be used is not an "arm."

(26) L. B. R., 1892-1896, Vol 1.—Nga Po Tein—Dalwes, spears and forks do not come within the definition of military stores in s. 4 and the mere possession of such weapon is not a punishable offence in Burma under s. 19 of the Act. But going armed with swords or spears without a license is punishable under s. 13.

(27) 11 L. B. R. 340.—Po Me.—The true criterion is not whether any given *dah* is an "U-Pyat" but what was the intention of the maker as regards its purpose (5 L. B. R. 207 (Note (22) below) *refd.*)

(28) A. I. R. 1927 Lah. 162.—Miehr Din.—Primary purpose and not use for which an implement is used is the test. Axe or knife does not become "arm" within s. 4 by merely using it for offending or defending on particular occasion.

(29) 5 B. L. R. 207.—Hamyit.—A *dashe-upyat* of the usual type is primarily intended for domestic and agricultural purposes and is not an arm within the meaning of the Arms Act, (*Vide* Note (27) above).

(30) 1 Weir, 654—Gangamma.—The word "includes" in s. 4 is clearly not intended to be exhaustive. A bottle ~~is~~ is an arm within the meaning of the Act.

(31) L. B. R., 1893-1900, 320.—Nga Tum Bau—The meaning of *Dahmyaung* in the Burmese translation of the Arms Act must be limited to the meaning of dagger.

(32) L. B. R., 1893-1900, 416—Nga Ne U.—The word "arms" except so far as the definition expressly includes other weapons must be understood to mean weapons of offence suitable for use in warfare. The Government of India have, under s. 27, the power of excluding any description of arms from the operation of the Act. But the Act does not empower the Government to define what is an arm within the meaning of the Act. If anything is not in the opinion of the court an arm within the meaning of the Act, it is immaterial whether the Government have or have not excluded it from the operation of the Act. *Das* of the kind described in Notification No. 827, dated the 15th June 1893, as excluded from the operation of the Act, are not arms within the meaning of the Act and it is therefore unnecessary to exclude them from the operation of the Act (L. B. R. 1893-1900, 320.—*Vide* note (31) above—*overruled*).

(33) 32 P. R. 1913, Cr. 172—Ralla Singh.—The definition of "arms" in the Act is not exhaustive and the true meaning must be arrived at by consideration of circumstances in each case. Neither the length, breadth, nor the form of the blade of a weapon, nor the handle, affords any certain test of its classification as "arm." (Whatever can be used as an instrument of attack or defence, and is not an ordinary implement for domestic purposes, falls within the purview of the Act.)

(34) 16 P. R. 1910, Cr.—Santa Singh.—There is no exhaustive definition in the Arms Act of the expression "arms" which though necessarily including the articles specified in the section, may also be held to apply to other instrument or weapons. (Where the circumstances of a case show that a weapon or instrument is carried for the purpose of offence or defence and not as an article of domestic or agricultural utility there is no reason why such weapon or instrument should not be held to fall within the category of "arms." This being so, it was not necessary to decide in the case whether the weapon found on the accused was a *chhavi* or a *gandasa*, it being immaterial what the name, shape or size of an instrument is, but material to determine the use for which it is carried or possessed.)

(35) 13 P. L. R. 1924.—Gahna; and 10 P. L. R. 1916—Jinda.—Everything is *chhavi* which has a large axe-like blade curved or otherwise with an arrangement of ring or rings for binding it to the handle, and a handle of considerable length. Being in possession of *chhavi* and keeping it hidden is simply punishable under s. 19 (a). S. 20 is applicable only to those cases where the import or export of an arm is attempted. The question of exclusive possession of an arm cannot be raised for the first time in appeal,

(36) 20 P. R. 1890 Cr.—Kesar Singh.—Chhevi may be arms within the meaning of the Arms Act, and that as the word arms in s. 4 of the Act includes parts of arms the possession of a "chhevi-head" may amount to possession of arms

(37) A. I. R. 1922-Lah. 141. Bechittar Singh.—The question whether a sword is a Kirpan and therefore exempt from the Act under a Punjab Ordinance depends on the circumstances of the case. The burden is upon the person who claims exemption to prove that the weapon carried by him was a Kirpan within the meaning of the Ordinance. In this case the sword was 31 inches long with a blade length of 22 inches in a scabbard which was held not to be proved a Kirpan.

... only applies to Kirpans  
in manufacture of  
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to manufacture

(39) 5 Lah. 308.—Hari Singh.—A person carrying one sword commits no offence under s. 19 by virtue of the exemption under schedule (3) (b) of the Rules under the Act

(40) 38 P. R. 1889. Cr.—Nur Din and Nizam Din.—Accused were convicted for having in their possession sword-hilt bought from time to time at sales of old stores. They contended that sword hilts were not arms within the meaning of the Act. Held that the expression "arms" included "parts of arms" and that the hilt being part of a sword was an arm.

(41) 34 Cal. 749.—Satish Chandra Roy.—A swordstick is a "sword" within the meaning of s. 4 of the Act. Neither the length, breadth or the form of the blade of a weapon, nor the manner of its use, is material in determining whether it is a "sword" or not. Whatever can be used for cutting as well as for thrusting purposes falls within the purview of the Act.

(42) Cheta—All., Revn. No. 517 Sep. 1907.—If Lee Metford bullets were capable or fit for use they are "parts" of ammunition

(43) 20 P. R. 1890, Cr.—Jaman Khan.—Empty cartridge cases of which the caps have been exploded do not come under the definition of ammunition in the Act. An instrument for repairing cartridge cases of the Martini Henry rifle is not machinery for manufacturing ammunition within the meaning of the Act

(44) 7, Bom. L. R. 474.—Ebrahim Alibhoey.—Empty cartridge cases in which the caps have been exploded come within the definition of ammunition.

(45) 32 All 152.—Baldeo Singh and 46 All. 107.—Aladin.—Empty cartridge cases are ammunition within the meaning of s. 4.

(46) 4 Ind. Cas. 405.—Rangaswami Aiyar.—Empty cartridge cases fall within the definition of "ammunition" given in s. 4. Therefore a conviction under s. 19 (a) for the possession of such cases is legal

(47) A. I. R. 1925 All. 498.—Amir.—There is considerable force in the argument that no offence has been committed because the empty cartridge cases are incapable of being reloaded in India

(48) A. I. R. 1926. All. 255.—Kallu.—To support a conviction for possessing empty cartridges it should be proved that the cartridges can be reloaded in India. If this is not proved, the prosecution can be made on them under s. 19, R 1925, All 498 (Vide Note (47))

(49) 5 Mad 159.—Suppl.—The manufacture or possession of fireworks including rockets which are mere fireworks, does not come within the prohibition of s. 5. The rockets referred to in s. 4 under the definition of "ammunition" are war-rockets.

(50) 8 Mad. 202.—Kasim Sahib.—A person in possession of a quantity of gunpowder without license is liable to conviction under s. 19, although he may intend to employ the powder in the manufacture of fireworks or other harmless

purposes, inasmuch as gunpowder is a material capable of being used for purposes of warfare.

(51) 18 P. R. 1910 Cr.—Bansidhar.—Patakas which are small packets, wrapped in a paper, of chlorate-potash mixed with small pieces of kankar, and which explode with a slight report when thrown with force against a wall or other hard surface, are not fireworks within the meaning of the Explosives Act, and so no license is necessary for the manufacture or sale of patakas.

(52) L. B. R. 1897-1910. V. 1, 139.—Nga Ye U.—Accused was convicted under sec. 5 for the manufacture, possession and sale of explosive in Burma, for possessing an explosive without a license. Held, that licenses under these rules are not required for the possession of explosives of this nature. But cartridges and detonators are "ammunition" as defined in s. 4 and the accused might properly have been convicted under s. 19 (f) of the Act.

(53) 16 P. R. 1910, Cr.—Santa Singh—Although lead is exempt from the operation of s. 4, yet when it is moulded into bullets of 20 to 24 bore, it is ammunition within the meaning of the said section. The definition of ammunition given in s. 4 is not exhaustive and the question whether a certain article falls within its purview is to be decided according to the circumstances of the case. (Also, that, in a case of technical offence, a nominal sentence is always quite sufficient to meet the ends of justice.

(54) Iron dropping or pellets (bunda)—are ammunition (India No. 1630 dated the 7th Oct. 1881).

(55) The Sight of guns and rifles should be regarded as arms. (India No. 900 dated the 1st May 1911)

6. Page 46, sec. 4, Add as Notes. For the definition of "section 4 of the Act, substitute the following (applicable to

ms' requiring  
3th Oct. 1894.)  
and direction

(59) "arms" includes —

- (i) clasp-knives the blades of which are pointed at length;
- (ii) knives with pointed blades rigidly affixed, or affixed, to the handle, and measuring in all which are not intended exclusively for domestic trial purposes; provided that it shall be presumed is proved that knives of this description are in such purposes;
- (iii) knives of such other kinds as the Local Government, prescribe; and
- (iv) firearms, bayonets, swords, daggers, spears, spear-arrows, also cannon and parts of arms, and manufacturing arms." (Burma Act VII of 1928).

(60) A. I. R. 1928, Lah. 239 —Randhir Singh. A swordstick is from a kirpan. The two expressions cannot be regarded as s. the possession of a swordstick by a Sikh is not exempted by Act.

(61) A. I. R. 1928, Lah. 295—Puran Singh. An instrument separate pieces, namely, a lathi 6' 3" long, at one end of which and an axe-like blade 5" by 4½" having a screw to allow of its the long lathi was held to be an arm within the meaning of S. 19 as no instrument like that is ever used for domestic or agricultural

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(4) 1 Weir 653.—Yegantiah —The repairing of arms is not 'manufacture within the meaning of ss 5 and 19 (a)

(5) 16 All 276 —Teta Ram —The temporary possession of a gun by a servant who carries it from his master's house to the blacksmith for repairs and by the blacksmith for the purpose of repair without a license is not punishable under s 19

(6) 1 Weir 657 —Venkiah —A person who applied for permission to sell a gun and did not obtain such permission was held not punishable under s 19 (b) when he had given notice under a 5

(7) When a person who repairs arms is also a maker of arms, it is necessary, under the existing law, that he should provide himself with a license in the latter capacity, so that the present question practically affects persons in the position of ordinary blacksmiths or others who may have arms in their temporary keeping for purpose of the Governor General in Council the retention of the Arms Act to direct that in future no licenses shall be required merely for carrying on the business of repairing arms, (India resn No 69 2039 50 dated the 15th Dec 1881) Those repairers of arms, however, who attack spare part of arms are required to take out licenses for the possession of those spare parts in one or both of forms IX or XI or forms X and XII (India No F 21 XIII.25 dated the 2nd Aug 1926)

(8) The sale of arms, ammunition or military stores is prohibited except under a license and in the manner and to the extent permitted thereby The only exception allowed is the sale of arms or ammunition possessed by a person for his private use, which is permitted subject to the observance of certain conditions specified in the second part of the section This exception would not cover the case of an agent to whom arms are made over for sale or commission Sale by an agent in such circumstances would be illegal except under a license (Burma A M Ed 1922 135)

(9) If an officer or soldier wishes to dispose of any arms or ammunition either by private purchase or by sale, the name of the purchaser is a name does not Magistrate or I the case may (Jen 1910) These orders were extended to Civil Officers by H L NO 304 dated the 20th Feb and No 6315 dated the 13th Dec 1901, and U P G O Nos 1115 dated the 15th April and 1751 dated the 1st June 1901)

(10) (All arms and ammunition and articles of this nature found among unclaimed property in the possession of Railway Companies should be sent to the nearest Magistrate for sale on the understanding that the sale proceeds will be made over to the railway authorities) (India letter No 2106 R T dated the 3rd Dec 1908)

### III—Import, Export and Transport

6 No person shall bring or take by sea or by land into or out of British India any arms, ammunition or military stores except under a license and in the manner and to the extent permitted by such license

Unlicensed importation and exportation prohibited

Nothing in the first clause of this section extends to arms other than cannon or ammunition imported or exported in reasonable quantities for his own private use by any person lawfully entitled to possess such arms or ammunition, but the Collector of Customs or any other officer empowered by the Local Government in this behalf by name or in virtue of his office may at any time detain such arms or ammunition until he receives the orders of the Local Government thereon

Importation and exportation of arms and ammunition for private use

Explanation —Arms, ammunition and military stores taken from one part of British India to another by sea or across intervening



territory not being part of British India, are taken out of and brought into British India, within the meaning of this section.

### NOTES.

In exercise of the powers conferred by S. 19 of the Sea Customs Act, 1878 (VIII of 1878) and in supersession of the Notn. of the Govt. of India in the Dept. of C. and I., No. 5377 dated the 26th July 1919, the G.-G. in C. is pleased to prohibit :—

(1) the bringing by sea or by land into British India through the medium of the Post Office, of arms, ammunition or military stores as defined in the Indian Arms Act, 1878 (XI of 1878).

Provided that this prohibition shall not apply to the bringing of arms, ammunition or military stores into British India—(a) from Berar. or (b) on behalf of Government.

(2) the bringing or taking by sea or land into or out of British India of arms, ammunition or military stores, as defined in the Indian Arms Act. (XI of 1878), save in accordance with the provisions of that Act and of the rules and orders for the time—being in force thereunder. (India No. 2112 dated the 2nd June 1924).

(3) All articles of the *foreign parcel mail* imported into India and declared or suspected to contain arms and ammunition are scrutinised by the Customs authorities. Such articles as are found to have been imported in contravention of the terms of Notification No. 2112, dated the 2nd June 1924, are detained by the Customs authorities and dealt with in accordance with the provision of section 167 (8) of the Sea Customs Act, 1878 (VIII of 1878), any arms that are confiscated under this section being disposed of in accordance with the rules in force for the disposal of confiscated weapons. Parcels which on scrutiny by the Customs authorities are passed by them are handed over to the post-office for delivery to the consignees. Inward foreign articles of the *letter mail* found to contain arms and ammunition are forwarded by the post-office of delivery to the chief port of the Presidency or province nearest to that office to be there made over to the Customs authorities who then deal with them in the manner above prescribed for the treatment of parcels. The foregoing instructions do not restrict in any degree the discretionary powers exercised by the Customs authorities under the existing provisions of the law. (C. and I. No. 523-527-17, dated 24th January 1911). The transmission of arms and ammunition in foreign postal articles forwarded by other postal administrations in open transit (*a decouvert*), through the India Post-Office, is prohibited. Articles of this class should be returned to the country of origin. Transit—articles of the foreign mail, the contents of which although falling under the head of "arms and ammunition" as defined in the Indian Arms Act are in themselves quite harmless, may, however, at the discretion of Postmaster-General be transmitted to their destinations. (India No. 8072-8074-55, dated 29th Sept. 1913.)

(4) When arms and ammunition are **simultaneously imported** a license, under the Arms Act is necessary for the import of arms and another, under the Explosives Act, for the import of ammunition, irrespective of the question whether a license under the Arms Act has been obtained or not. (India No. 4638, dated the 6th August 1901.)

(5) Any person "**lawfully entitled to possess arms**" can import into British India or take out of the country with him or send out any arms or ammunition, without any special license, provided these are of reasonable quantity, are for their personal use and their possession is covered either by a license or by exemption. (Explanation of the rules, *Vide* para 15). The words "**lawfully entitled to possess**" apply to persons licensed according to law to possess arms, as well as to persons exempted from the operation of sections 13 and 14 of the Act. (India No. 1862, dated the 14th Dec. 1880.)

(6) The **exemption in clause 2** of section 6 cover only the export of arms and ammunition by a **privileged person** for his own personal use, not the export of arms and ammunition by other people for the use of a privileged person. (India letter No. 1327-I., dated the 23rd March 1891.)

(7) The following officers are empowered to **detain arms and ammunition** under this section—

**Bombay Presidency**—Political Resident at Aden. (Notn. No. 3467, dated the 16th June 1879.)

**Bengal**—All Magistrates and police officers not below the grade of Sub Inspector (Bengal L R and O, para 83)

**United Provinces**—Any Magistrate, Justice of the Peace, Superintendent, Assistant or Deputy Superintendent of Police and any police officer being not lower in rank than an officer in charge of a police station (G. O No 299 dated the 27th Feb 1872). *Magistrates and*

**Punjab**—All Police officers not below the rank of officer in charge of a station. (Notn No. 923 dated the 18th July 1907.) *5th March 1912*

**Central Provinces**—All Magistrates and all officers of the police not below the rank of Assistant District Superintendent of Police (Notn No 2595 (a) dated the 18th June 1879)

**Assam**—All Magistrates and all police officers not below the rank of Inspectors (Notn No 2143 J dated the 12th June 1914)

**N. W. F. Province**—All Magistrates and all Police officers not below the rank of officer in charge of a station [Notn No 7103 G dated the 2nd May 1922]

(8) 43 Cal. 421 Causley—A person lawfully entitled to possess arms and ammunition signing the prescribed certificate of purchase of the same in the name of another with an address not his own and thereby deceiving the gunsmith and the Government and defeating the object of the certificate, commits forgery his act having been done 'fraudulently' if not 'dishonestly'

7. [Levy of duties on arms, etc, imported by sea] Repealed by the Repealing and Amending Act 1891 (XII of 1891).

8. [Power to impose duty on imports by land] Repealed by the Repealing and Amending Act, 1891, (XII of 1891).

9. Notwithstanding anything contained in the Sea Customs Act, 1878, no arms, ammunition or military stores shall be deposited in any warehouse licensed under section 16 of that Act without the sanction of the local Government required to warehousing of arms etc

#### NOTES.

The Warehouse at Mnyapur is declared to be a warehouse for the deposit of ammunition under this section. The premises of any licensed dealer in arms in Calcutta licensed also as a private warehouse under section 16 of the Sea Customs Act, 1878, and approved of in writing by the Commissioner of Police, may be used as a place for the deposit of arms under this section (Bengal notn dated 24th March 1879)

10. The Governor-General in Council may, from time to time, by notification in the *Gazette of India*,—  
Power to prohibit transport (a) regulate or prohibit the transport of any description of arms, ammunition or military stores over the whole of British India or any part thereof, either altogether or except under a licence and to the extent and in the manner permitted by such licence, and  
(b) cancel any such notification

*Explanation* Arms, ammunition or military stores transhipped at a port in British India are transported within the meaning of this section  
Transhipment of arms

#### NOTES.

(1) Although the word "transport" as used in the Indian Arms Act XI of 1878, would in a certain sense, include every movement from place to place, yet the Govern-

ment of India consider that looking to the general objects of the Act, and the difficulties which might result from constraining the words in its widest sense it is reasonable to attach to it a more restricted meaning, which it would not, perhaps be easy to define precisely, but which would certainly not include such movement as the removal of arms from a warehouse to a shop in the same town or the landing of arms imported. Under such restricted interpretation of the term no licence is required for the removal of ammunition from one magazine and warehouse to another in the same locality. (India No. 88-2955, dated the 9th Nov. 1888).

(2) The Hon'ble the Advocate General, Bengal, holds that, in the case in question, the offence of transporting arms without the requisite licence was complete, inasmuch as the arms had been removed or transported from the gunshop to the Railway station at Purabserai: a conviction under section 19 (d) of the Arms Act, as it stands, would therefore have been possible, if the accused had been charged with the substantive offence punishable under that section. (India No. 3007, dated the 9th Nov. 1921).

(3) In order to avoid the possibility of transport licence being used more than once, the time for which such licences are valid should invariably be entered in the proper column of the licence. The time allowed, specially in the case of arms ammunition or military stores licensed or transported through any part of British India to the frontier, should be carefully restricted to such period as may be considered reasonable. (India No. 44-1737, dated the 23rd Sept. 1879).

(4) In the transmission of arms, ammunition and military stores from one British district to another through foreign territory, the procedure prescribed is that both an export and import licence, in the regular form should be taken out—the export licence for the transmission of the consignment to foreign territory, and the import licence to cover its re-conveyance into British territory. Whenever such a case may arise a copy of the original licence for export should be communicated to the Magistrate of the place to which the consignment is ultimately destined. (India No. 2864-I dated the 29th June 1887).

11. The Local Government, with the previous sanction of the Governor General in Council, may at any places along the boundary-line between British India and foreign territory, and at such distance within such line as it deems expedient, establish searching-posts at which all vessels, carts and baggage, animals, and all boxes, bales and packages in transit, may be stopped and searched for arms, ammunition and military stores by any officer empowered by such Government in this behalf by name or in virtue of his office.

#### NOTES.

Conveyances and baggage belonging to passengers are liable to be stopped and searched at Sayer stations for arms, ammunition and military stores. In carrying out this duty the notification of exemption and the rules under the Arms Act, so far as they relate to the transit of arms, ammunition and military stores should be followed by the officers of the Land Customs stations. (Madras L. R. and O., para 5).

12. When any person is found carrying or conveying any arms, ammunition or military stores, whether covered by a licence or not, in such manner or under such circumstances as to afford just grounds of suspicion that the same are being carried by him with intent to use them, or that the same may be used, for any unlawful purpose, any person may without warrant apprehend him and take such arms, ammunition or military stores from him.

Any person so apprehended and any arms, ammunition or military stores so taken by a person not being a Magistrate or Police officer, shall be delivered over as soon as possible to a Police-officer.

All persons apprehended by, or delivered to, a Police officer, and all arms and ammunition seized by or delivered to any such officer under this section, shall be taken without unnecessary delay before a Magistrate

*IV—Going armed and possessing arms etc*

13 No person shall be armed with any arms except under a licence and to the extent and in the manner permitted thereby

Any person so going armed without a licence or in contravention of its provisions may be disarmed by any Magistrate, Police-officer or other person empowered by the local Government in this behalf by name or by virtue of his office

## NOTES

wored to disarm persons under this section  
officers and *adigaris* in the Malabar district

**BOMBAY**—The undermentioned officers of the Forest Department in the Northern Division Southern Division and the Sind—Conservators Deputy Conservators Assistant Conservators Extra Assistant Conservators Rangers Foresters Forest Guards and Salt Inspectors in Sind in virtue of their office, Officers sepoyas and peons of Salt Department employed on the Goa and on the Northern Frontiers (Notns No 6714 dated the 7th Novr 1879 No 9355 dated the 29th Novr 1892 No 3049 A dated the 8th June 1889 No 410 dated the 19th Juny 1895 and No 4082 dated the 11th Augt 1905

**UNITED PROVINCES**—The Conservator of Forests all Deputy and Extra Deputy Conservators Assistant Conservators and Extra Assistant Conservators (including probationers) Patwaris in Jaunsar Bawar have similar powers (Notn No 345 VI 883 dated the 4th Sept 1913)

BURMA—All headmen and rural police men appointed under s 5 of the Burma Village Act 1907 (Notn No 112 dated the 5th Aug 1909)

**CENTRAL PROVINCES AND BERAR.**—All Forest officers not below the rank of Assistant Conservators and all Revenue officers not below the rank of Naib Tahsildar (Notn No 2595 A dated the 18th June 1895 and No 1853 dated the 7th Aug 1916)

(2) 1 Weir 1663 —Venkatarayadu—"Going armed" in s 13 means 'carrying arms' and a person who gets a licence for protection only but uses it for sports is not exempted from the liability under the Act

(3) 1 Weir 662—Keraga—Section 13 which prohibits a person from "going armed" except under a licence is not bound to take his licence with him whenever he goes.

(4) L R 1893-1900, 284 —Nga Shwe Ton —A person who appears in a public place or issues from his own property or abode having about his person a weapon of the sort described in s 4 and not covered by a licence goes armed within the meaning of s 13 The phrase "going armed" is not to be restricted to the meaning carrying or bearing arms in the manner usual for the particular weapon in view

(5) U B R 1897-1901, Vol I—Nga Tha Syaung—The accused was found in another man's house wearing a dagger. He did not allege that the dagger was not his or that he had not brought it to the house. On the contrary he specified

...the dagger was issued. In the above circumstances the offence of going armed with a dagger in contra-

He have in his possession or under his control any cannon or firearms or any ammunition or military stores, except under a licence and in a manner and to the extent permitted thereby.

*(Temporary provisions.) Repealed by the Repealing and Amending Act, 1891 (XII of 1891.)*

#### NOTES.

(1) 3 N. L. R. 53.—Dhan singh—Firearms in this section include parts of firearms.

(2) 291, I. C. 544.—Chaganipate Chino Basavappa.—There is no provision in this section requiring a person to deposit a spear. If there is no other basis of conviction it is illegal.

(3) 42 Cal. 1153. Harsha Nath Chatterjee.—Possession of parts of firearms is prohibited by this section read with s. 4.

(4) 15 C. W. N. 440—Akhil Nath Dutt—Where a person kept a gun for some time and made it over to another to keep for him he cannot be convicted under s. 19.

(5) U. B. R., 1892-1898, vol. 1, 1.—Nga Po Tein.—Daggers, spears and forks do not come within the term "military stores" in s. 14 and the mere possession of such weapons is not a punishable offence under s. 19. But going armed with swords or spears without a licence is punishable under s. 19.

15. In any place to which section 32, clause 2, of Act No. XXXI of 1860 applies at the time this Act comes into force or to which the local Government, with the previous sanction of the Governor-General in Council, may by notification in the local official Gazette, specially extend this section, no person shall have in his possession any arms of any description, except under a licence and in the manner and to the extent permitted thereby.

#### NOTES.

(1) Section 32, Clause of Act XXXI of 1860—In every such Province, District, or place as well as in any Province, District or place in which an order for a general search for arms has been issued and is still in operation under Act XXVIII of 1857, it shall not be lawful for any person to have in his possession any arms of the description mentioned in section VI of this Act, or any percussion caps, sulphur, gunpowder, or other ammunition without a licence.

(2) This section does not apply to Burma as section 32, clause (2) of Act XXXI of 1860 did not apply to Lower Burma on the 1st Oct. 1878.

(3) Act XXXI of 1860 was replaced by this Act (XI of 1878).

(4) Section 15 has been extended to the following places—

In Madras.—The Governor in Council, with the previous sanction of the Governor General in Council, resolves under section 15, Act XI of 1878 (The Indian Arms Act) to extend the provisions of that section to the whole of the Malabar district.—(2) It is therefore hereby notified for general information, that within the limits of the said district, no person who is not specified or described in Schedule I of the Indian Arms Rules, 1920, as exempted shall, from the date of this notification have in his possession any arms of any description except under a licence and in the manner and to the extent permitted by it. (Notn. No. 222 dated the 14th Sep. 1922).

**Calicut, Ernad, Waiavanad, Ponnani** (G O No 355, dated the 6th Feb 1885 and No 260, dated the 30th June 1815)

**Bombay—Aden—**(Notn No 3167 dated the 16th June 1897)

The Governor in Council is pleased to republish notn No 1112 dated the 19th Feb 1878, with the additions attached to it by Govt resn No 4378, dated the 13th August 1690 —

It is hereby notified, for general information that the provisions of Act XXXI of 1860 (relating to the manufacture importation and sale of arms and ammunition and for regulation of the right to keep and use the same, and to give the power of disarming in certain cases) as modified by Act VI of 1866, are in force in the following places, districts and portions of districts —

Town and Island of Bombay,

Districts of Ratnagiri, Poona Ahmednagar, Satara, Belgaum, Dharwar,

District of Sholapur, in the following talukas only —

(a) Pandharpur, (b) Sangola

District of Bijapur (lately Kaladgi), in the following talukas only —

(a) Bijapur, (b) Bagalkot, (c) Badami, (d) Hungund.

District of Kanara, in the following talukas only —

(a) Supa, (b) Yellapur, (c) Karwar (d) Sirsi, (e) Siddapur,

District of Nasik in the following talukas only —

(a) Nasik (b) Igatpuri (c) Dindori, (d) Sunar, (e) Niphad, (f) Yeola (g) Chander

(2) And that the provisions of Act XXXI of 1860 (relating to the manufacture, importation and sale of arms and ammunition and for regulating the right to keep and use the same and to give the power of disarming in certain cases as modified by Act VI of 1866, are with the exception of the several clauses of section 32, which apply to the disarmament of any districts, in force in the following districts and portions of districts —

The Province of Sind viz the districts of Karachi Hyderabad and Shikarpur, Thar and Parkar and the Upper Sind Frontier

Districts of Ahmednabad Surat, Broach Kaira, Panch Mahals, Thana Kolaba

District of Nasik in the following talukas only —

(a) Malegaon, (b) Nandgaon (c) Baglan, (d) Kalvan, (e) Peint

District of Kanara in the following talukas only —

(a) Kumta (b) Konavar

District of Kaladgi in the following talukas only —

(a) Indri, (b) Sindgi (c) Mundahihal (d) Bagevadi

District of Sholapur in the following talukas only —

(a) Sholapur (b) Barsi (c) Madha, (d) Karmala

(Notn No 391 dated the 18th Jan 1893 and Notn No 825 dated the 19th Dec 1898)

**Bengal—Section 15 of the Act is extended to all districts in Bengal and with effect from the 19th March 1923 no person of these districts shall have in his possession any arms of any description except under a licence and in the manner and to the extent permitted thereby** (Notns No 787 dated the 9th March 1923 and No 1121 dated the 31st March 1923)

**N B** This notification under section 15 does not in itself supersede any exemption under section 27 of the Act in force at the time Exemptions in force remain in force, possession of arms becomes unlawful if the arms are among those notified under column 3 of schedule II of the Indian Arms Rules 1923 (Bengal No 1838—1866 dated the 15th May 1922)

**Assam—Section 15 has been extended to all the districts in Assam and with effect from the 23rd March 1923 no person of these districts shall have in his possession any arms of any description except under a licence and in the manner and to the extent permitted thereby**

Provided that in respect of **beyonats** other than those lawfully possessed in virtue of an exemption under Schedule I of the Indian Arms Rules, 1920, and in

force at the said date namely, the 23rd March 1923. (Assam Notn. No. 1183 G. J. dated the 23rd March 1923.)

Under the proviso in column 3 of item 1 of Schedule II of the Indian Arms Rules, 1920, the prohibitions and directions contained in sections 5 and 6 of this Act are retained in respect of **bayonets** in all districts in Assam and no person in Assam

(a) shall manufacture, convert or sell or keep, offer or expose for sale, or

(b) shall bring or take by sea, or by land into or out of the province, **bayonets** except under a licence and in the manner and to the extent permitted thereby. (Assam Notn. No. 1184 G. J. dated the 22nd March 1923.)

**Punjab.**—Hazara, Peshawar, Kohat, Bannu, Dera Ismail Khan and Dera Ghazi Khan. (Notn. No. 1635 of the 16th Nov. 1900.) See also the list of villages printed at the end of the Indian Arms Rules, 1924, and referred to in Schedule IV., clause (7) (b). (Notn. No. 2460 dated the 3rd July 1879.)

(3) **1 Weir 666—Fakir Ahmed.**—The possession of a **sword or dagger** in a place to which s. 15 has not been extended is no offence.

(4) **1 Weir 666.—Kunja Asari.**—A person having a **sword** without a licence in a district which is **disarmed** but not going armed with it, is **no offence** under the Act.

(5) **L. B. R., 1872-1892, 426.—Nga Shwe Hla.**—The possession of a **bayonet** without a licence is not an offence under the Act, except in the district to which s. 15 has been extended.

(6) **9 Bom., 478—Dodyama Basapa.**—Cl. 2. s. 32 of Act XXXI of 1860, relating to the manufacture, importation and sale of arms, did not apply to the Badami Taluka of the Kaladgi Collectorate at the time when the Indian Arms Act, No. XI of 1878 came into force; and the notification of the Government of Bombay, No 1112 of the 19th Feb. 1878, which declared that the provisions of Act XXXI of 1860, as modified by Act VI of 1866, are in force in Badami amongst other places, is not an order of disarmament under clause (1) s. 32 of Act XXXI of 1860. In the absence therefore, of a notification under section 15 of Act XI of 1873, extending with the previous sanction of the Governor-General in Council, the provisions of the section to Badami, the possession of arms without a licence in that taluka is not punishable under s. 19.

(7) **41 Cal. 350 —Ramesh Chandra.**—The knowledge of the existence of firearms found in a hut on search should not, without further evidence be imputed to any other than the occupier of the hut, nor would that presumption operate even against him if it could be proved that it was possible that the same might be there without his knowledge.

16. (1) Any person possessing arms, ammunition or military stores the possession whereof has, in consequence of the cancellation or expiry of a licence or of an exemption or by the issue of a notification under section 15 or otherwise, become unlawful, shall without unnecessary delay deposit the same either with the officer-in-charge of the nearest police-station or, at his option and subject to such conditions as the Local Government may by rule prescribe, with a licensed dealer.

(2) When arms, ammunition or military stores have been deposited under sub-section (1) or, before the first day of January, 1920, under the provision of any law for the time being in force, the depositor shall, at any time before the expiry of such period as the Local Government may by rule prescribe, be entitled—

(a) to receive back anything so deposited the possession of which by him has become lawful, and

(b) to dispose, or authorize the disposal, of anything so deposited by sale or otherwise to any person whose possession of the same would be lawful, and to receive the proceeds of any such sale

Provided that nothing in this sub-section shall be deemed to authorize the return or disposal of anything the confiscation of which has been directed under section 24

(3) All things deposited as aforesaid and not returned or disposed of under sub-section (2) within the prescribed period therein referred to shall be forfeited to His Majesty

(4) (a) The Local Government may make rules consistent with this Act for carrying into effect the provisions of this section.

(b) In particular and without prejudice to the generality of the foregoing provisions, the Local Government may by rule prescribe —

(i) the conditions subject to which arms, ammunition and military stores may be deposited with a licensed dealer, and

(ii) the period after the expiry of which things deposited as aforesaid shall be forfeited under sub-section (3).

#### NOTES.

Statement of Objects and Reasons dated the 1st Sept 1919, leading to the introduction of S 16

The changes in the administration of the Indian Arms Act 1878 (XI of 1878), which were announced in the Government of India (Home Department) Resolution No 2125 C, dated the 21st March 1919 are to come into force on the 1st January 1920. One of the changes is a curtailment of the list of exempted persons and there are probably a number of persons now in lawful possession of arms and ammunition of which the possession by them will become unlawful by reason of that curtailment. It is necessary to arrange for the disposal of such arms and ammunition, and the present provisions of the Act are not sufficient for the purpose. The bill has been framed to provide for the safe custody of such arms and ammunition, and at the same time to avoid the infliction of unnecessary hardship, by giving to the former possessors opportunity to dispose of their property by sale or other lawful means

(2) Rules published by Local Governments under section 16 —

" . . . . .

3 With reference to paragraph 3 of G O No 626 Judicial, dated 22nd April 1910 no separate register in the form prescribed therein need be maintained by dealers showing receipts and disposals of arms and ammunition occasionally received from persons who wish to effect their disposal. The register which the dealers are required to maintain under rule 1 of the rules appended to this order may be utilized for the purpose

(4) The District Magistrates and the Commissioner of Police Madras, will furnish the dealers in arms and ammunition if any, to their respective jurisdictions with copy of the rules appended to this order and of the instruction contained in paragraph 2 above

Notification — (1) Every licensed dealer with whom any arms and ammunition or military stores have been deposited shall give to the depositor a receipt and shall enter the necessary particulars in a register to be maintained by the dealer in the appended form — (2) The licensed dealer shall furnish the Commissioner of Police



or the District Magistrate with an extract of the register on the day on which each deposit, return, sale or other disposal takes place. The officer receiving the extract shall depute an officer to check the extract with the dealer's register and initial each entry.—(3) The stock on hand with the licensed dealer together with the arms, ammunition or military stores deposited with him under section 16 (1) of the Act shall not exceed the quantity which he is licensed to possess.—(4) Subject to the provision of rule 6, any arms, ammunition or military stores which are not returned or disposed of under section 16 (2) of the Act shall, after the expiration of three years from the date of their deposit, be forfeited to His Majesty.—(5) Licensed dealers shall submit at the end of each quarter, viz. 31st March, 30th June, 30th September, and 31st December to the Commissioner of Police in the city of Madras and elsewhere to the District Magistrate, a statement showing the arms, ammunition or military stores that have become liable to forfeiture under rule (4). (6) Arms, ammunition or military stores deposited by a guardian on behalf of a minor may be left in deposit until the expiration of one year from the date of such minor attaining majority when, if the person entitled to receive them back or dispose of them as required by section 16 (2) of the Act has not taken the required action, they shall be forfeited to His Majesty.

*\* Form referred to in rule (1) above.*

#### Receipts.

1. Date of receipt.
2. Sender's name and address in full.
3. Particulars of sender's exemption or licence.
4. Description of arms with maker's name and number, if any.
5. Description and quantity of ammunition and military stores.

#### Disposal.

6. How disposed of—whether by sale, return or other disposal.
7. In case of sale or other disposal—purchasers or transferee's name and address in full and particulars of his licence.
8. In case of return of the weapons, date of return and name and address of person to whom sent.
9. Date when due for forfeiture.
10. Remarks.

**Bombay Notn., No. 1675, dated the 20th Feby. 1920.**—1. Every licensed dealer with whom any arms, ammunition or military stores have been deposited shall give to the depositor a receipt and shall maintain a register in the appended form.\* A copy of the register, certified as a true copy under the signature of the licensed dealer, shall be forwarded on the last day of each quarter, in the City of Bombay to the Commissioner of Police and elsewhere to the District Magistrate.—2. Arms, ammunition or military stores deposited at the police stations shall, if not returned or disposed of within one month from the date of their deposit, be lodged at the head-quarters police stores.—Provided that arms so deposited and previously covered by a licence in Form XV Schedule VII to the Indian Arms Rules 1920, may, at the discretion of the District Magistrate, be lodged at the police station at the head-quarters of the taluka in which the police station at which they have been deposited is situated. (Proviso added by G. O. No. 6658, dated the 19th July 1920).—3. Subject to the provisions of rule 7 any arms, ammunition or military stores which are not returned or disposed of under section 16 (2) of the Act, shall after the expiration of three years from the date of their deposit, be forfeited to His Majesty.—4. The Commissioner of Police in the City of the Bombay and elsewhere the District Magistrate may prescribe fees on payment of which arms, ammunition and military stores shall be periodically oiled, cleaned, etc., at the police station or headquarters police stores where they are deposited or lodged.—5. Licensed dealers shall not return arms, ammunition or military stores deposited with them to depositors except in the manner and to the extent permitted for the sale of such arms, ammunition or military stores to such depositors.—6. Licensed dealers shall submit on the 31st of December of each year in the City of Bombay to the Commissioner of Police and elsewhere to the District Magistrate, a statement showing the arms, ammunition and military stores that have become liable to forfeiture under rule 3.—7. Arms, ammunition or military stores deposited by a guardian on behalf of a minor may be left in deposit until the expiration of one year from the date of such minor attaining majority when if the person entitled

to receive them back or dispose of them as prescribed by section 16 (2) of the Act has not taken the requisite action, they shall be forfeited to His Majesty.

FORM.\*—[Rule 1].

Date of deposit.	Description (No. etc.) of arms, ammunition or military stores.	Name and address of the depositor.	Date when due for forfeiture	Date and due for disposal.	REMARKS.
1	2	3	4	5	6

Bangal.—Letter No. 39 Pl., dated the 7th January 1921.—Owners who deposit their licences with a dealer holding a licence in their possession—licences, if it expires while the dealer or any other person authorised by them is prepared to renew their licences in their absence. If the licence is not renewed, the dealer continues to possess the licence until the authority of his licence in Form XII is renewed or obtained. In the

Register of firearms and ammunition deposited for safe custody (Vide condition 3 of Licence Form XIII).

Date of deposit.	Name of arm.	Address including village, police-station and district.	If exempted, how.	Number, date, duration and form of licence and authority by whom granted.	Number and description of arms and ammunition.	How disposed of
1	2	3	4	5	6	7

and also, if he be not a resident of Calcutta, the Magistrate of the district in which he resides. 2. When a dealer disposes deposited, he shall report the fact to the depositor is not a resident of Calcutta, to the he resides. The report shall state the number, date and issuing authority of the ammunition or military stores were held, as or military stores sold. 3. A dealer failing within one year from the 1st January deposited shall deposit the same at the provided that in every Local Government. 4. All the Act, and not returned or tion within a year of their owed under rule 3, shall be dated the 12th March 1920. (1) Every licensed dealer with whom, and every any arms, ammunition or military stor weapon or article a ticket in the form

in the same form, signed by himself, informing the depositor at the same time that the Government will be responsible for the safe custody only of the articles and not for their preservation from rust and decay.—(2) Licensed dealers and officers in charge of police stations with whom any arms, ammunition or military stores are deposited shall maintain a register in the appended form.\* A copy of the register, certified as a true copy under the signature of the licensed dealers or of the officer of the police station, as the case may be, shall be forwarded on the last day of each quarter to the District Magistrate.—(3) Arms, ammunition or military stores deposited at police stations shall, if not returned or disposed of within one month from the date of their deposit, be forwarded to the head-quarters of the district and shall then be kept in the *malkhana* of the District Magistrate or the Superintendent of Police, at the description of the Magistrate. If deposited in the Magistrate's *malkhana*, the Nazir shall be responsible for their custody, and if deposited in the Superintendent's *malkhana*, the Court Inspector shall be so responsible.—(4) The Court Inspector (or the Nazir, as the case may be) shall keep a register in which the arms and other articles deposited with them shall be described, and entered under serial numbers and fresh tickets shall be affixed to them showing the owner's name, etc., corresponding with the entries in the register.—(5) Subject to the provisions of rule 9, any arms, ammunition or military stores which are not returned or disposed of under section 16 (2) of the Act shall, after the expiration of one year from the date of their deposit, be forfeited to His Majesty.—(6) The District Magistrate may prescribe fees on payment of which arms, ammunition and military stores shall be periodically oiled, cleaned, etc., at the police station or *malkhana* where they are deposited or lodged.—(7) Licensed dealers shall not return arms, ammunition or military stores deposited with them to depositors except in the manner and to the extent permitted them for the sale of such arms, ammunition or military stores to such depositors.—(8) Licensed dealers and officers in charge of *malkhanas* in which arms, ammunition and military stores are lodged under rule 3 shall submit on 31st of December of each year to the District Magistrate a statement showing the arms, ammunition and military stores that have become liable to forfeiture under rule 5.—(9) Arms, ammunition or military stores deposited by a guardian on behalf of a minor may be left in deposit until the expiration of one year from the date of such minor attaining majority when, if the person entitled to receive them back or dispose of them as prescribed by section 16 (2) of the Act has not taken the requisite action, they shall be forfeited to His Majesty.

Date of deposit.	Description (no., etc.) of arms, ammunition or military stores.	Name and address of depositor.	Date when due for forfeiture.	Date and method of disposal.	Remarks.
1	2	3	4	5	6

*Exception.*—In the Almora district, arms deposited under the Act may be retained in tahsil *malkhana* instead of being sent to the headquarter's *malkhana*; and the statement prescribed by clause 8 above should be submitted by the naib nazir of each tahsil to the Deputy Commissioner of Almora through the tahsildar or *peshkar*. [G. O. no. 5566 VI—dated the 17th November, 1920.]

**Punjab Notn. No. 15486, dated the 10th May 1922.**—1. (i) Arms and ammunition, the possession of which has become unlawful, may be deposited with such licensed dealers only as possess a supplementary licence from the Local Government.

Page 58—9 Omit the entries relating to Punjab on 1 its conditions on page 59. be granted by the to the holder of a Indian Arms Rules, 1920 [corresponding form IX, X, XI or XII in Schedule VIII attached to the Indian Arms Rules, 1924.]—2. The depositor shall, within a week of deposit, deliver to the District Magistrate of the district in which he resides a receipt obtained from the licensed dealer for the articles deposited.—3. Arms, ammunition or military stores deposited under section 16 (1) of the Indian Arms Act, 1878, with an officer-in-charge of a Police station or with a licensed dealer shall be forfeited to His Majesty on the termination of one year from the date of deposit; Provided that the District Magistrate of the district in which the articles are deposited may from special reasons extend this period by not more than six months, or, where the articles are deposited in consequence of the decease of the owner, and the articles are inherited by a minor, until the termination of the inheritor's minority.



**Central Provinces.** *Notn. No. 297-149—VI. [298-199—VI. the 1st August 1922.—*(1) Every licensed dealer with whom any arms, ammunition or military stores have been deposited shall give to the depositor a receipt and shall maintain a register in the appended form.\* A copy of the register, certified as a true copy under the signature of the licensed dealer, shall be forwarded on the last day of each quarter to the District Magistrate. (2) Arms, ammunition or military stores deposited at police stations shall, if not returned or disposed of within three months from the date of their deposit be lodged in the Nazarat—(3) Subject to the provisions of rule 7, any arms, ammunition or military stores which are not returned or disposed of under section 16 (2) of the Act shall, after the expiration of three years from the date of their deposit, be forfeited to His Majesty.—(4) The District Magistrate may prescribe fees, on payment of which arms, ammunition and military stores shall be periodically oiled, cleaned, etc. at the Nazarat, where they are deposited or lodged.—(5) Licensed dealers shall not return arms, ammunition or military stores deposited with them to depositors except in the manner and to the extent permitted them for the sale of such arms, ammunition or military stores to such depositors—(6) Licensed dealers shall submit, on the 31st of December of each year, to the District Magistrate, a statement showing the arms, ammunition and military stores that have become liable to forfeiture under rule (3).—(7) Arms, ammunition or military stores deposited by a guardian on behalf of a minor may be left in deposit until the expiration of one year from the date of such minor attaining majority, when, if the person entitled to receive them back or dispose of them as prescribed by section 16 (2) of the Act has not taken the requisite action, they shall be forfeited to His Majesty.

\* *The form is similar to the form prescribed for B. and O. (above.)*

When any arms, ammunition or military stores are deposited under section 14 or 16 of Act XI of 1878, as amended by Act XX of 1919, at a police station, the officer in charge of such station shall give the depositor a receipt signed by himself.

If within 60 days from the date of deposit the owner fails to produce a licence authorizing him to take possession of them, the arms, ammunition, and military stores shall be forwarded to the headquarters of the district, where they shall be kept in such safe place as the Deputy Commissioner may direct.

All arms, etc., deposited will be at the owners's risk and Government will not be liable for any injury they may receive. [C. P., L. P. and O., p. 200].

[*Note*—Similar rules have been framed for Berar under Notn. No. 298-199 VI at the 1st Aug. 1922].

**Assam.**—(1) All arms, ammunition and military stores deposited at a police station in accordance with the provisions of section 16 shall be at once sent to the Magistrate of the district in which the police station is situated. The Magistrate shall then store the arms etc., in safe custody. (Assam Notn. No. 2443 J. dated the 1st June 1914.)

(2) 1. Any person depositing arms, ammunition or military stores with a licensed dealer in compliance with the provisions of section 16 (1) shall immediately inform the Magistrate of the district in which he resides.

2. When a dealer disposes of arms, ammunition or military stores so deposited, he shall report the fact to the Magistrate of the district in which he resides. The report shall state the name and address of the depositor, the number, date and issuing authority of the license (if any) under which the arms, ammunition or military stores were held, and a description of the arms, ammunition or military stores.

3. A dealer failing to dispose of an article so deposited within one year from the 1st Jany. of the year following that in which it was deposited shall deposit the same at the nearest police station and shall at the same time furnish the information mentioned in rule 3; provided that in exceptional cases the period of one year may be extended by the local Administration.

4. All articles deposited under sec. 16 (1) and not returned or disposed of under sec. 16 (2) within a year of their deposit or within such further period as may be allowed under rule 3 shall be forfeited to His Majesty. (Assam Notn. No. 3644 J. dated the 19th April 1920.)

**Coorg.**—*Notn. No. 53 dated the 27th March 1921.*—Prescribes rules similar to the Madras Rules, on page ante.

## V. Licences.

17 The Governor-General in Council may, from time to time by notification in the *Gazette of India*, make rules to determine the officers by whom the form in which and the terms and conditions on and subject to which any licence shall be granted; and may by such rules among other matters—

- (a) fix the period for which such licence shall continue in force ;
- (b) fix a fee payable by stamp or otherwise in respect of any such licence granted in a place to which section 32 clause 2 of Act No. XXXI of 1860, applies at the time this Act comes into force, or in respect of any such licence other than a licence for possession granted in any other place ;
- (c) direct that the holder of any such licence other than a licence for possession shall keep a record or account, in such form as the Local Government may prescribe, of anything done under such licence, and exhibit such record or account when called upon by an officer of Government to do so ;
- (d) empower any officer of Government to enter and inspect any premises in which arms, ammunition or military stores are manufactured or kept by any person holding a licence of the description referred to in section 5 or section 6 ;
- (e) direct that any such person shall exhibit the entire stock of arms, ammunition and military stores in his possession or under his control to any officer of Government so empowered , and
- (f) require the person holding any licence or acting under any licence to produce the same and to produce or account for the arms, ammunition or military stores covered by the same when called upon by an officer of Government so to do

## NOTES.

(1) 24 Q. C. 22 Cr. L. J. 75, Mahomed Ibrahim—20 Cal. 444—Kishunwa—The Act does not require a person who holds the licence for a gun or any other weapon to carry it on his person whenever he has the weapon with him. If on being required to produce it he is prepared to do so on a reasonable opportunity being given him to get and if it exists, he should not be prosecuted, and if prosecuted, the production of the licence at the trial is a sufficient answer to the charge of infringing the Act.)

(2) 3 C. W. N. 394 —Kail Nath Singh —An order extending the time of renewal of licences has the effect of keeping licence previously granted practically in force and a person cannot be convicted under s. 19 (f) for a breach of its provision within the extended time

18. Any licence may be cancelled or suspended—

- Cancelling <sup>or</sup> suspension of licence (a) by the officer by whom the same was granted, or by any authority to which he may be subordinate, or by any Magistrate of a district, or Commissioner of Police in a Presidency town, within the local limits of whose jurisdiction the holder of such licence may be, when, for reasons to be recorded in writing, such officer,

authority, Magistrate or Commissioner deems it necessary for the security of the public peace to cancel or suspend such licence ; or

(b) by any Judge or Magistrate before whom the holder of such licence is convicted of an offence against this Act, or against the rules made under this Act ; and

the Local Government may at its discretion, by a notification in the local official Gazette, cancel or suspend all or any licences throughout the whole or any portion of the territories under its administration.

#### NOTES.

**Bengal.**—The only disarmed district in Bengal is Bakarganj, all licences in this district having been cancelled under s. 18 of the Act in Bengal Govt. Notn. No. 4772 J. dated the 22nd Aug. 1896. These orders were modified in 1904 when the District Magistrate of Bakarganj was authorized to issue gun licences under the following conditions to respectable and trustworthy persons :—

(1) All licences to be in form XVI.—(2) No person to be licensed for more than one gun without the counter-signature of Commissioner, who will only countersign if good reason is shown.—(3) No licence to be granted to any person who is not a permanent resident in the district.—(4) Every gun to have a brass plate showing the number of its licence, the date of the original grant of the licence, and of each subsequent renewal. Such plate to be firmly affixed to the stock of the gun, under the Magistrate's orders, at the owners' expense. [Guns which can be identified by the maker's name and number, need not have the brass plates or numbers stamped thereon.] (5) Any licensee whose gun may be lost or stolen to communicate the fact within twenty-four hours to the nearest police station.—(6) Licences only to be granted to gentlemen of position and good character who can be depended on not only to misuse the guns themselves, but also prevent others from misusing them. (Bengal No. 2887 J. D. dated the 29th Sep. 1904. No. 1360 J. dated 16th February 1905 and para. 53 Bengal L. R. and O.)

#### VI.—Penalties.

19. Whoever commits any of the following offences (namely) :—

For breach of sections 5, 6, 10, 13 to 17.

(a) manufactures, converts, or sells, or keeps, offers or exposes for sale, any arms, ammunition or military stores in contravention of the provisions of section 5 ;

(b) fails to give notice as required by the same section ;

(c) imports or exports any arms, ammunition or military stores in contravention of the provisions of section 6 ;

(d) transports any arms, ammunition or military stores in contravention of a regulation or prohibition issued under section 10 ;

(e) goes armed in contravention of the provisions of section 13 ;

(f) has in his possession or under his control any arms, ammunition or military stores in contravention of the provisions of section 14 or section 15 ;

(g) intentionally makes any false entry in a record or account which, by a rule made under section 17, clause (c), he is required to keep ;

(h) intentionally fails to exhibit anything which by a rule made under section 17, clause (e), he is required to exhibit ; or

(t) fails to deposit arms, ammunition or military stores as required by section 14 or section 16 ;

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

#### NOTES.

(1) Under Schedule II, Cr P C, offences under this section are liable and triable by a Court of Sessions, Presidency Magistrate or a Magistrate of the first class.

(2) 1 Weir 654, offences under this section being punishable with imprisonment for more than six months specified in S 220 (260) Cr P. C, could not be tried summarily.

(3) Leh. 1924 667. Nazir Singh. Sentence of solitary confinement cannot be awarded under the Arms Act

(4) 1 Weir 664. Gengamma.—under s 19 a Magistrate having found the accused guilty, was bound to pass some sentence—though it was open to him to pass a nominal sentence S 24 shows that the order of conviction is in addition to the sentence that may be passed

(5) 1923 Leh 466—Ali Din.—Where a head constable made a false report that a dacoity had been committed and that he had arrested some dacoits and after a delay of three days, as he said, recovered the arms from the petitioner not in the presence of witnesses, who signed the list but who distinctly recorded that the arms were produced before them by the constable Held that the petitioner was not guilty.

(6) Rat. Un Cr 1227 :—Sekharam.—As Khandesh is neither a district on the external land frontier of British India, nor a sea port district of British Burma, clause IV of the notification of the Government of India, No 518 dated the 6th March 1879, has no application to it, and as the Govt of India has not by any other notification, extended section 19, to saltpetre in the Khandesh district, a person cannot be convicted under s 19 for keeping saltpetres without a licence

(7) 42 Cal 1153 Harsha Nath Chatterji.—The keeping of arms under S 19 (a) must be keeping for sale, not keeping only

(8) 1 Wier 656 Ramswami Pillai —Where the accused who had licence under the Explosives Act to manufacture and sell gunpowder and fire works on certain premises, manufactured fire-works at a different place, held that the accused could not be convicted under the Arms Act

(9) 24 All. 434 —Harpal Rai —The mere temporary possession, without a licence of arms, for purposes, other than use as such, is not an offence within the meaning of s 19

(10) 8 Mad 202 Cr —Kasim Sahib —A person in possession of a quantity of gunpowder without licence is liable to conviction under S 19, although he may intend to employ the powder in the manufacture of fire-works or other harmless purposes, in as much as gunpowder is a material capable of being used for purposes of warfare

(11) 13 P L R 1914—Gahna—Everything is chhavi which has a large axe-like blade curved or otherwise, with an arrangement of rings for binding it to the handle, and a handle, of considerable length Being in possession of chhavi and keeping it hidden is simply punishable under s 19 (a) S 20 is applicable only to those cases where the import or export of an arm is attempted The question of exclusive possession of an arm cannot be raised for the first time in appeal

(12) 15 All 276. Tota Ram —Blacksmiths in temporary possession of firearms for purposes of repair are not required to take out licence

(13) 21 C W N 839 Sudhanga Bawali —If the place in which the article (gun) is found is one to which several persons have equal right of access it cannot be said to be in possession of any one of them and the conviction of the accused could not be sustained

(14) 1 Wier 663.—Venkatarayadu —When a licence to go armed is granted for protection only, the licensee cannot use it for export or display.



authority, Magistrate or Commissioner deems it necessary for the security of the public peace to cancel or suspend such licence ; or

(b) by any Judge or Magistrate before whom the holder of such licence is convicted of an offence against this Act, or against the rules made under this Act ; and

the Local Government may at its discretion, by a notification in the local official Gazette, cancel or suspend all or any licences throughout the whole or any portion of the territories under its administration.

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**Bengal.**—The only **disarmed district in Bengal is Bakarganj**, all licences in this district having been cancelled under s. 18 of the Act in Bengal Govt. Notn. No. 4772 J. dated the 22nd Aug. 1896. These orders were modified in 1904 when the District Magistrate of Bakarganj was authorized to issue gun licences under the following conditions to respectable and trustworthy persons :—

(1) All licences to be in form XVI.—(2) No person to be licensed for more than one gun without the counter-signature of Commissioner, who will only countersign if good reason is shown.—(3) No licence to be granted to any person who is not a permanent resident in the district.—(4) Every gun to have a brass plate, showing the number of its licence, the date of the original grant of the licence, and of each subsequent renewal. Such plate to be firmly affixed to the stock of the gun, under the Magistrate's orders, at the owners' expense. [Guns which can be identified by the maker's name and number, need not have the brass plates or numbers stamped thereon.] (5) Any licensee whose gun may be lost or stolen to communicate the fact within twenty-four hours to the nearest police station.—(6) Licences only to be granted to gentlemen of position and good character who can be depended on not only to misuse the guns themselves, but also prevent others from misusing them. (Bengal No. 2887 J. D. dated the 29th Sep. 1904. No. 1360 J. dated 16th February 1905 and para. 53 Bengal L. R. and O.)

#### VI.—Penalties.

19. Whoever commits any of the following offences (namely) :—

(a) manufactures, converts, or sells, or keeps, offers or exposes for sale, any arms, ammunition or military stores in contravention of the provisions of section 5 ;

(b) fails to give notice as required by the same section ;

(c) imports or exports any arms, ammunition or military stores in contravention of the provisions of section 6 ;

(d) transports any arms, ammunition or military stores in contravention of a regulation or prohibition issued under section 10 ;

(e) goes armed in contravention of the provisions of section 13 ;

(f) has in his possession or under his control any arms, ammunition or military stores in contravention of the provisions of section 14 or section 15 ;

(g) intentionally makes any false entry in a record or account which, by a rule made under section 17, clause (c), he is required to keep ;

(h) intentionally fails to exhibit anything which by a rule made under section 17, clause (e), he is required to exhibit ; or

(e) fails to deposit arms, ammunition or military stores as required by section 14 or section 16 ;  
shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

### NOTES

(1) Under Schedule II Cr P.C., offences under this section are bailable and triable by a Court of Sessions, Presidency Magistrate or a Magistrate of the first class

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(11) 13 P L R 1914—Gahne—Everything is chhavi which has a large axe-like blade curved or otherwise, with an arrangement of rings for binding it to the handle, and a handle, of considerable length Being in possession of chhavi and keeping it hidden is simply punishable under a 19 (a) S 20 is applicable only to those cases where the import or export of an arm is attempted The question of exclusive possession of an arm cannot be raised for the first time in appeal

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(14) 1 Weir 663 —Venkatarayudu.—When a license to go armed is granted for protection only, the licensee cannot use it for sport or display

(15) 36 Mad. 596.—Muhammad Ismail Rowther.—An offence under s. 19 (c) is committed when a person enters British India with weapon he is not lawfully entitled to possess in this country. It is not necessary that there should be any particular intention in the mind of the offender to complete the offence.

(16) All. W. N. 1891, 208—William—Where a person is found carrying arms apparently in contravention of the provisions of the Arms Act, it must be presumed in the absence of proof to the contrary, that he is carrying such arms with the intention of using them should an opportunity of using them arise, and unless he is licensed to carry the weapon and is not exceeding the terms of his licence he may be properly convicted under section 19 (e).—

(17) 15 All. 27—Bhure—A man who is found going about with a pistol, gun, sword or other weapon within the definition of arms in s. 4 must, in the absence of proof to the contrary, be presumed to be carrying it with the intention of using it, should an opportunity for using arise, and unless he is licensed to carry the weapon and is not exceeding the terms of his license he may properly be convicted under s. 19.

(18) Rat. Un. Cr. C. 507—Ganpat.—The carrying of a Spear is not an offence under S. 19 (c) because spears are exempted from s. 13.

(19) L. B. 1893-1900, 284 —Nga Shwe To—(U. B. R. 1897 1901, Vol. 1, 4.—Nag Tha Byaung.) A person who appears in a public place or issues from his own property or abode, having about his person a weapon of the sort described in s. 4 and not covered by a licence, goes armed within the meaning of s. 13 of the Act. The phrase going armed is not to be restricted to the meaning, carrying or bearing arms in the manner usual for the particular weapon in view.

(20) 37 Bom. 187.—Koya Hansji.—The accused was sent to an adjacent village by the master who was licensed to bear arms, to fetch a gun, which he (the master) had left there. While so returning with the gun, the accused was arrested for going armed in contravention of the provisions of s. 13. He was convicted and sentenced under s. 19 (e). Held, acquitting the accused, that the mere temporary possession without a licence, of arms for purposes other than their use was not an offence within the meaning of s. 19.)

(21) 41 Cal 11—Charu Chandra Ghosh—The petitioner was carrying a gun on behalf of his master with the licence to the Magistrate for the purpose of a renewal of licence. It was admitted that the object of the petitioner was merely to carry the gun to the Magistrate. The petitioner was convicted under s. 19 (f) for possessing a gun in contravention of the provisions of the Act. Held, that the conviction of the petitioner cannot be upheld.)

(22) 47 Mad. 438. Vairavan Servai—There is nothing in the wording of s. 19 (e) to justify the view that any person who has got a licence or is exempted from taking out a licence is entitled to allow any servant of his to use the gun for the latter's own purpose. If the servant carries the gun for the purpose of the master or in the presence of his master, that may not be an offence under the Act; but to get further will be going against the terms of the Act. Where the master was misled by the District Magistrate into thinking that he was entitled to allow his gun to be used by his servant and he and his servant honestly believed that they were doing nothing wrong in allowing the servant to take the gun and to use it for the purpose of shooting game in the forest, held, that the order of the confiscation of the gun was wrong though the servant might be rightly convicted of an offence under s. 19 (e).

(23) 1925 Mad. 585 (1) A. I. R.—Sonai Mathu Ambalanu—The offence of going armed with firearms is considerably more narrow than the offence of being in possession merely of firearms. The expression 'going armed' clearly indicates two things namely, first an intention to use it as a firearm and, secondly, the possibility of using it.

(24) 69 I. C. 457—Chote—Though an unlicensed pistol was found in a shop the master being absent, the servant in possession of the pistol alone could be convicted for the offence. The master's conviction could not be upheld.

(25) A. I. R. 1925, Sind 177 (2).—(77 I. C. 736) Mohammad Punja.—A person who carries about a gun without any ammunition can be said to go armed. To define 'armed' as meaning "one who is equipped with an arm

capable of immediate use as an arm" seems contrary to the vernacular meaning of the word 'armed' and is also not safe. The offence is punishable under s. 19 (e) and the sanction of the District Magistrate is not required.

(26) 1 Weir 632—*Tenkuremen Besewan*—A person who had no ammunition with him so as to be in a position to use his gun is not guilty under s. 19 (e) of the offence of going armed, nor can he be convicted under s. 19 (f) without sanction as required by s. 29.

(27) 4 S. L. R. 214—*Hatimati*—The accused was going armed without a licence within the meaning of S. 19 (e) and was not covered by his master's exemption. The words for his own personal use are clear and unambiguous and cannot be interpreted to mean the use of the gun by a servant or any one except the person exempted. Where the meaning of the words of the statute is clear and unambiguous, a Court is not at liberty to speculate as to the intention and to decline to give effect to the strict sense because of some apparent or supposed hardship.

(28) No proceedings under section 19 (f) can be instituted without the previous sanction of the District Magistrate or in a Presidency town of the Commissioner of Police required under section 29 of the Act. Also persons punishable under this section are not to be arrested without the previous sanction of the District Magistrate (Bombay Rule 33 of L. R. and O.)

(29) 3 L. B. R. 237—*Kaka*—Accused was prosecuted by the police under s. 19 (e) for going armed with a revolver. On taking the evidence the Magistrate doubted whether a person could be said to go armed with an unloaded revolver wrapped up in a cloth. He therefore charged the accused in the alternative with going armed under clause (e) or, with possessing the revolver, under clause (f) of s. 19. After the framing of the charge the Magistrate submitted the record to the District Magistrate, owing to an objection being taken for his previous sanction under s. 29. The District Magistrate wrote upon the Diary "I sanction the institution of proceedings under s. 19 (f) against Kaka." The trial proceeded, and the accused was convicted under clause (f). Held that, the police having submitted a report in which it was stated that the accused was found carrying the revolver, and that being described as an offence under clause (e) of s. 19, proceedings under clause (f) were instituted only when the Magistrate framed the charge under that clause. Although the framing of the charge when the Magistrate did frame it was without jurisdiction, yet if the Magistrate had followed the proper course of amending the charge and then obtained sanction as he did, there would be nothing to prevent him from again framing a charge under clause (f), and proceeding with the trial. The Magistrate cannot be said to be without jurisdiction to try the case merely because he framed the charge before receiving sanction, and did not frame a fresh charge after receiving it. At the time when he took the evidence for the prosecution, no sanction was required because proceedings in respect of an offence under clause (f) had not then been instituted and under s. 256 Cr. P. O., the accused had the right to recall all the witnesses for the prosecution after the charge was framed. He was therefore in no way prejudiced by the Magistrate's procedure. The Magistrate, therefore, had jurisdiction, notwithstanding the word 'previous' in s. 29, because, in the circumstances set forth, the offence had been committed before the trial.

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(30) 9 Msd. L. T. 476.—*Gopal Krishn Iyer*—Where an offence under s. 19 (f) has been committed, no proceedings shall be instituted without the previous sanction of the District Magistrate (s. 29). If no such sanction has been obtained all proceedings for an offence under s. 19 (f) must be null and void, and the absence of such sanction could not be treated as a mere irregularity in trial.

(31) U. B. R. 1882-1896, Vol. 1, 2—*Pa Twa We*—The District Magistrate in such a case may however, order a fresh sanction if he wishes to do so.

(32) L. B. R. 1872-1892 536.—*Nge Po Ke*—The mere possession of arms, other than those mentioned in s. 14, is not a punishable offence.

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(46) U. B. R., 1897-1893. Vol I, I—Nga Myat Aung—It must constantly happen that sportsmen on their way to and from the field, hand over their guns to their servant to avoid unnecessary fatigue to themselves and by doing so it does not appear that the servant should be considered as going armed when they have no control over the use of the gun so far as intended and are simply bearer of the gun as a load. If the gun were taken to pieces before being handed to the servant it would be difficult to hold that he could be armed with it and the moral restrictions of the servant's duty to make no use of the gun seems in effect to make the same difficulty when the gun is left complete.

(47) 22 All 118—Gangadln.—By a notification under s 27 issued by the Govt of India, certain persons, amongst them certain Rajas and members of the Legislative Council of the Lieutenant Governor of the N W Provinces were exempted from the operation of ss 13 and 16, but with this proviso that "except where otherwise expressly stated, the arms and ammunition carried or possessed by such person shall be for their personal use, etc." Held that the terms of this proviso would allow of a person exempted under the notification, above alluded to, sending a servant armed with a gun into a neighbouring district to shoot birds for him, and that a gun so carried and used by the servant of the exempted person was in the "personal use" of the exempted person within the meaning of the notification. The above ruling was dissented from in the following case.

(48) 25 C. P. L. R., 112.—Sonla (1) 15 M. 15—A servant of Rao Bahadur Bapu Rao Dod carrying a loaded gun belonging to Rao Bahadur and the accused was proceeding to frighten off pigs from the crop. Sonna was charged under s 19 (e) with going armed in contravention of the provisions of s 13, but was acquitted on the strength of the ruling of the Allahabad High Court in *Empress versus Gangadln* (quoted above—22 All 118.) Held that the exemption should be construed literally, but the construction adopted by the Magistrate ignores the undoubted fact that the privilege conferred by the exemption is of a personal nature and does not extend to the servants and retainers of the person exempted.

(49) 40 All, 420—Ghulam Hussain—A pardanashin lady and her minor son, a young man of 17 years of age, lived together in the family bousa in which there was a small collection of arms of various kinds which had belonged to the father who was an honorary magistrate, was exempt from the operation of the Arms Act. Held, that a finding that the son was in possession of these arms, and, not having a licence for them, was liable to conviction for an offence under s 19 (f), was not open to objection.

(50) 52 P. R. 1905, Cr.—Sher Zaman—The accused was charged with being in possession of a dagger found in cloth or quilt inside a basket in one of the rooms of his house. The room and house were jointly occupied by the accused and his son, and the prosecution failed to prove that the dagger was in the exclusive possession and control of the accused, or that he was its owner. Held that the accused was under the circumstances not guilty of an offence under the Arms Act.

(51) 65 I. C., 447—Narinjan Singh—Where it is found that the two accused were lying in a bed in the house of another and in the bedding a chhavi was found wrapped in a cloth, held that it was impossible to say which of the two was actually in possession, even if it was proved that the owner of the house was not the owner.

(52) 1923 Lah. 513—Alia—A chhavi was found in a house in the joint possession of both the accused, it could not be said with any degree of certainty that one of them was in exclusive possession thereof and the accused must therefore be given the benefit of doubt.

(53) 3 Lah. 308—Hari Singh—A Sikh possessing or wearing one sword commits no offence under s 19 by virtue of the exemption under Sch II.

(54) A. I. R. 1925, Lah. 61—Mt. Babo. Keeping ammunition and arms in a bag hidden under a chaddar or hidden under the clothes tells clearly under s 20 and not merely under s 19.

(55) A. I. R. 1924, All 175. (47 All, 267) Muhammed Hassan. The accused's father held a licence for gun. The licence did not mention that he was

entitled to hand over his gun to a retainer. The accused took out the gun of his father for the purpose of shooting birds and was found out by an officer of the police and tahsildar. Held, that though the spirit of the law was not contravened, yet, the letter was certainly contravened. The sentence was reduced to a fine of Rs. 25.

(56) A. I. R. 1925, All. 3 '6.—Babu Ram.—When communal riots were taking place in different quarters of the town, the accused, brother of a licence-holder, took out his brother's gun and fired shots in the air so that people mischievously inclined might know that it was not safe for them to do any mischief to the people living in the house.—Held, that the possession of the gun was on behalf of the brother and the accused was not guilty under s. 19 (f). (1924, All. 175 above disd.)

(57) 75 P. L. R. 1910.—Sundar Singh.—When it is not shown that the accused had exclusive possession of the room in which arms are found, or that arms were placed there by him or belonged to him, or he knew that they were there, the accused cannot be convicted of the offence under section 19.

(58) 15 All. 129.—Sangam Lal.—Where proceedings under the Act, in respect of the unlawful possession of arms are taken against a member of a joint Hindu family not being the head of such joint family, and arms are found in a common room of the joint family house, it is incumbent upon the prosecution to give good evidence that such arms are in the exclusive possession and control of the particular member of the joint family who is sought to be charged with their possession. The Act is highly penal and must be strictly construed.

(59) 15 C. W. N. 440.—Akhil Nath Datt—Where the petitioner has been in possession of a gun for some time and made it over a year and half ago to another person in whose possession the gun was without licence, held that the petitioner could not be convicted under s. 19 (f). The only person who can be punished under cl. (f) is the person who has in his possession or under his control any arms in contravention of ss. 14 and 15.

(60) 35 Cal. 219.—Prabhat Chandra Chaudhuri.—A person, named Prabhat Chandra Chaudhuri, seized a gun which was in the hands of a servant of an exempted person and fired at a mad dog which had entered the compound of his house. It missed the animal but a shot from the gun wounded a man named Manda Rajbansi. For this Prabhat Chandra Chaudhuri was convicted under s. 304-A, I. P. C. and sentenced to pay a fine of Rs. 300 and to detention in court for one day. The sessions Judge on appeal reduced the fine to Rs. 100. The accused was again prosecuted under s. 19 (f). Held, that the accused was not liable under the section referred to. The provisions of this section do not make the mere possession of a gun punishable; they make possession contrary to the provisions of s. 14 of the Act punishable. The temporary possession which the accused had of the gun when he snatched it up and fired it was not the possession contemplated by s. 14 of the Arms Act.

(61) 24 All. 424.—Harpal Rai—One C. N., a person entitled to possess and use firearms, gave a pistol to an acquaintance who was not entitled to possess and use firearms, asking him to take it and get it repaired in a neighbouring town. This acquaintance gave the pistol to his father, Harpal Rai, who was taking it into the town to get it repaired, when he was arrested and charged with an offence under s. 19. Held, that Harpal Rai was under the circumstances, guilty of no offence under the Arms Act. The mere temporary possession, without a licence of arms for purposes other than their use as such, is not an offence within the meaning of section 19.

(62) 24 Bom. 487.—Kalyan Chand Gopal Chand.—The accused, who was a cousin of the licensee, borrowed the gun and carried it in a marriage procession where he fired some shots and wounded some people accidentally. The licensee was forbidden under the terms of his licence from taking the gun to a public assemblage. Held, that the accused was guilty of an offence under s. 19. Where a marriage procession emerged from private premises and goes down the public street, then it is open to the public to join the procession and the marriage procession becomes a public assemblage.

(63) 27 Cal. 692—Ahmed Husain.—The accused was suspected of being in possession of arms after the cancellation of his licence. The Assistant Magistrate of Purneah, with a number of police, went to the house of the accused to search for arms. The police had no search warrants, nor was there anything to show upon what charge the accused was arrested. Two guns were discovered in the house by s. 29 of the Act was given used who was convicted and it is that the conviction under s. 20 was not suitable but that the accused must be taken to have had arms and ammunition within the meaning of s. 19 (f), and the conviction under that section must be confirmed.

(64) 35 Cal. 473—Tegha Singh—A collection of fire arms, had been kept as an object of worship in a temple in Patna for upwards of two centuries. The Mahant of the temple had neglected to take out a licence in respect of these arms. A police inspector, who was appointed to see that the provisions of the latter Act were obeyed, searched the temple on information received and, having found the arms, prosecuted the person who had charge of the temple. The latter was convicted under s. 19 (f) and sentenced to pay a fine of Rs. 50 or to be rigorously imprisoned for two arms to be confiscated, and the police inspector and the conviction of the arms to refer to cases in which a licence or not, are possessed for an illegal purpose, or under circumstances such as to endanger the public peace. S. 30 of the Arms Act appears to contemplate the presence of some specially empowered officer, besides the officer conducting the search. So much of the Deputy Magistrate's order as refers to the division of the value of fire-arms and the fine imposed, between the informer and the inspector was also set aside.

(65) U. B. R. 1907—(4th gr.) 1—Nga Kalng—A sub-inspector of police  
12. Pages 62-69, sec. 19. Add as Notes—

(68). 15 All 129 Sangam Lal.—The Arms Act is highly penal and must be strictly construed.

(69) A. I. R. 1928, Nag 219.—Seth Balkishan. A penal enactment like the Arms Act must be construed in favour of the individual person where any doubt exists.

(70) A. I. R. 1927, Cal. 265, 31 C. W. N. 239.—Nirmal Chandra De Where two or more persons conspire to possess firearms without a license they are guilty of an offence under S 120 B, I. P. C., read with S 19 (f) of the Arms Act.

(71) A. I. R. 1928, Rang. 49.—Nga Lu Gale. Where an accused having pleaded guilty was convicted under sec. 19 (e) by the first class Magistrate and the Sessions Court acquitted him, it was held that, as under S. 412 Cr. P. C., no appeal lay from the conviction and the order of acquittal made by the Court of Sessions was made without jurisdiction and must be set aside.

(72) A. I. R. 1927, Rang 32—Nga Shwe Ton. An accused charged under s 452, for an intention to cause hurt cannot be convicted under the latter and with no Conviction set aside.

the Indian Penal Code, or to any person employed upon a railway or to the servant of any public carrier,

and whoever, on any search being made under section 25, conceals or attempts to conceal any arms, ammunition or military stores,

shall be punished with imprisonment for a term which may extend to seven years, or with fine, or with both.



## NOTES.

(1) Under Sch. II, Cr. P. C. 1898, offences under this section are not **ailable and triable only by a court of session**. They can, of course, be tried by officers specially empowered under S. 30 of the Code. [Bur A. M., 1926]

(2) For definition of "**Public servant**" see s. 21, I. P. C.

(3) 8 P. R. 1915 Cr.—**Khem Singh**.—Accused was carrying in the hand a **dang (stick)** which had all the knots planed off, which latter fact aroused the suspicions of a police constable who wished to examine it. Accused thereon ran off but was consequently arrested and **on being searched was found to have chhavi heads concealed in the cloth** which he was wearing. *Held*, that each case of **concealment** of arms must be decided on its own facts, *i.e.* whether it falls under section 19 or section 20 of the Arms Act, and that circumstances connected with the present case showed that the **concealment was made so that the possession of the weapon should not be known to the police** and the offence therefore fell under section 20.

(4) 9 P. R. 1912 Cr.—**Ibrahim**.—S. 20 of the Act though widely worded is in practice only applied to cases where the import of arms is attempted and not to ordinary cases of **concealment** of arms.

(5) 2 L. B. R. 244—**Shunshanisa**.—An offence under s. 20 is only triable by a Court of Sessions and not by a first class Magistrate; and that the sentence under s. 19 (f) was illegal as the prosecution was not sanctioned by the District Magistrate under s. 29.

(6) 1 S. L. R. 18—**Azu walad Bangar**.—Where a certain firearm has been found from the possession of the **accused who had concealed it under a heap of straw**, in order that visitors in the house should not see them, *held*, that the concealment was not with the intention specified in s. 20 and the accused could, therefore, be convicted only under s. 19 (f).

(7) P. R. 1917. 44 Cr. 156.—**Jai Singh**.—The eight appellants were on a joint trial convicted of dacoity under ss. 395, 397, I. P. C. and one of them was not only charged with being concerned in the dacoity, but also with being in possession of arms and ammunition under s. 20 of the Arms Act, at a time subsequent to the dacoity. The learned judge acquitted him of the latter charges as he held he could not be legally convicted of that offence and that of dacoity at the same trial. *Held* that the trial was illegal and the defect in it could not be cured by the Court acquitting the appellant concerned of the charge under the Arms Act.

(8) 8 B. L. R. 452.—**Nga Po Chin**.—Where proceedings are instituted against any person for secret possession of arms in contravention of ss. 14 and 15 of the Act the accused should be discharged under s. 20 if the intention to conceal the possession is not made out. Offences created by and punishable under s. 20 are distinct from those under s. 19.

(9) 34. I. C., 321—**Nga Po Chin**.—Where a person is discharged under s. 20 for want of evidence of intention to conceal his secret possession of arms in contravention of s. 14 or 15 of the Act, proceedings may be instituted against him under s. 19 (f) after sanction thereto is given under s. 29 of Act.

(10) 19 A. L. J. 717—**Shiam Sundar**.—Where an approver makes a statement disclosing his illegal possession of fire-arms and is released on pardon it is illegal to try him under s. 20.

(11) 15 Cr. L. J. 637.—**Udham Singh**.—A person carrying revolver in his pocket without a licence is guilty under s. 19 (f) and not under s. 20. When a revolver was found in the possession of one of the two men sitting together and it was proved that at one time the revolver was possessed by one or the other of the two, both are guilty of possessing arms without a licence.

(12) 72 P. L. R. 1916.—**Ishar Singh**.—A discovery of arms in consequence of the information supplied by the accused that he had buried a revolver in his field, fulfils the requirements of ss. 19 (f) and 20.

(13) 27 Cal. 692.—**Ahmed Hosain**.—Sections 19 and 20 were so interwoven that it was difficult to see how an offence could be committed under the first paragraph of s. 20 unless an offence under one of the enumerated sub-sections in s. 19 had also been committed. It was not suggested that the charge here was an offence under the second paragraph of s. 20.

(14) 28 All 302—Ram Sarup—The mere denial on the part of a person, whose house is being searched by the police for unlicensed arms, that he has any such arms in his possession does not constitute a concealment or attempt to conceal arms on search being made by the police, within the meaning of the second paragraph of s 20

(15) 83 I C 726—Surjan Singh—Where the weapon was found to fit a deng the appellant was carrying was originally concealed but the appellant voluntarily took it from its place of concealment in order to threaten a railway servant who caught him for travelling without a ticket held that it indicated an indifference as to whether the weapon was seen or not. The intention requisite for an offence under s 20 was not established and conviction must be altered to s 19

(16) 2 Lah 133—Manga Singh—Appellant was found carrying a bamboo dang 5 ft 7 in long which had an iron attachment at the thick end and hidden in the fold of his loin cloth was a blade 8 inches long which fitted the end of the dang. Held, that taking into consideration the nature of the instrument the fact that the blade could be readily slipped on and off the stick and the fact that it was found detached from the stick and hidden in the appellant's loin cloth showed that it was possessed by him not for ordinary domestic purposes but for purposes of offence and defence and that it was included in the term 'arms' used in the Act

(17) 23 Cr L J—Sher Ali—Each case of concealment of arms must be decided on its own facts and it must be shown that the concealment was made so that the possession might not be known to the police

(18) 20 C W N 732—Nishikant Lahiri—If on the trial of the case under the Arms Act the evidence recorded indicates an offence under s 20, the Magistrate ought to commit the case to the Session Court

(19) 3 L L J 145—Fakira—Merely because the weapon concealed is a chhovi, maximum sentence ought not to be inflicted

(20) 20 A L J 355—Chhotay—Discovery of a pistol in the floor of shop of the accused while he had been away from the shop and while his servant was in possession of the shop and its contents does not render the accused guilty of an offence under the Arms Act

(21) 17 Cr L R 80—B 80—Salambai Buttocheri Ahmad—Sentence of three years' rigorous imprisonment without special grounds is very heavy and ought to be reduced

(22) 42 Col 1153—Harsha Nath Chatterjee—The only additional element necessary to constitute an offence under s 20 is that the possession should be in such a manner as to indicate an intention that such act may not be known to any public servant

(23) 9 Mad L R 475—Gopel Krishna Iyer.—The first part of s 20 does not apply to cases of concealments or attempts at concealments by a man who has arms on his person or in a bag which he is carrying or which is otherwise in his immediate personal possession, on his being arrested. It is meant to deal with cases before arrest where a man finding himself arrested being in possession of a revolver attempts to throw it away, the act of such person would only come under s 19 (f)

(24) A I R 1927, Lah 561—Ghulam Mehammad—If a person carries on his person a small weapon such as a pistol a dagger or a blade of chhovi, he naturally puts it in his pocket or dab, and if with that weapon in his pocket or dab he is in his house or in his village or in bazar or in a court compound it cannot be inferred that he was so carrying the weapon with the intention specified in s 20

(25) 1923 Lah, 434—Ali Ahmad—Where the arms were discovered on the information given by the accused, the concealment of the chhavis and other arms recovered from the possession of the accused is clearly within the intention of this section

(26) A I R 1924 Reng 85—Nga Tha Hia—The accused was in secret possession of local-made guns and cartridges. Sanction was obtained for prosecution under s 20 but he was convicted both under s 20 and s 19 (f). Held,

that the conviction under s. 20 was legal but that under s. 19 (f) was bad for want of sanction.

(27) A. I. R. 1826. Lahore 61.—Mt. Babo.—Keeping ammunition and parts of arms hidden under clothes, falls under s. 20 and not under s. 19.

(28) 6 Lah. 151 Channan Singh.—S. 20 applies only where the possession is such as to indicate an intention that such act may not be known to any public servant as defined in the Penal Code or to any person employed upon a railway or to the servant of an any public carrier. The section applies only to cases where the import or export of arms is attempted and not to any case of possession or concealment of arms. Something more than a mere ordinary concealment should be established in order to bring the possession within the meaning of S. 20. Where the gun was upon a *charpoy* upon which the accused was sitting and was covered with a *dotahi* and the accused had been convicted under s. 20 the conviction was altered into one under s. 19 (f) 27. [Cal. 692 fold.—*Vide* note 13 above.]

(29) A. I. R. 1926. Lah. Chet Singh.—Each case of concealment of arms must be decided on its own facts whether it falls under s. 19 or s. 20. For a conviction under s. 20 there must be some special indication of an intention that the possession of the arms was being concealed from a public servant or from a railway official.

21. Whoever, in violation of a condition subject to which a licence has been granted, does or omits to do any act shall, when the doing or omitting to do such act is not punishable under section 19 or section 20, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Note—Under Sch. II, Cr. P. C. 1898, offences under section 21, 22 and 23 are bailable and triable by any Magistrate [Bur. A. M. p. 19].

22. Whoever knowingly purchases any arms, ammunition or military stores from any person not licensed or authorised under the proviso to section 5, to sell the same; or

For knowingly purchasing arms, etc., from unlicensed persons.

delivers any arms, ammunition or military stores into the possession of any person without previously ascertaining that such person is legally authorised to possess the same;

For delivering arms, etc., to persons not authorised to possess them.

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred

13. Page 73, section 22. Add as Notes—

(30) *Vide* A. I. R. 1928, All. 53, added as Note (75) 1.

(31) *Vide* Abdul Wahid,—A. I. R. 1928, Lah. 110, note.

(32) *Vide* Karim Baksh,—A. I. R. 1928, Lah. 193, Note (7).

(1) Dealers in arms will be responsible if they merely rely on such inquiries to satisfy themselves of the legal authority of any intending purchasers. They are similarly not properly discharging their obligation if they send by post arms to any person who professes himself entitled to possess them. They must make due inquiries in all cases of sales, and must in all cases where they have not already sufficient proof that the purchaser is legally entitled to purchase, obtain sufficient proof by further inquiry. (India No. 2964, dated the 11th August 1899.). Under section 22 of the Arms Act, licensed dealers in arms and ammunition are bound to ascertain that the persons to whom they sell arms, ammunition or military stores are legally authorised to possess the same. Any tendency on the part of dealers to evade this obligation should be checked by the

police by their constant strict supervision over the trade in arms and ammunition. The police should also exercise constant vigilant supervision over the registers maintained by licensed dealers in order to ensure that arms and ammunition are not sold to persons other than those legally authorised to possess the same. If on inspection, they find that arms and ammunition are supplied to persons whose exemption seems to be doubtful they should take steps to ascertain whether such persons are really exempt from the provisions of the Arms Act and if not to report the matter to the District Magistrate. In doubtful cases of sales to persons said to possess licences under the Arms Act Rules a reference to the registers maintained in police stations will show whether the purchasers are *bona fide* licensees or not—(Madras L R and O)

(2) 23 Bom 423—Tyab Ali—The manager of a licensed vendor of arms, ammunition and military stores sold certain military stores without previously ascertaining whether the buyer was legally authorized to possess the same. Held, that the licensee was liable to punishment under s 22 of the Arms Act though the goods were not sold with his knowledge and consent. The principle—whatever a servant does in the course of his employment with which he is entrusted and as a part of it is his master's act—is applicable to the present case.

(3) 5 L B R 83—Adams—A and his servant N while out on a shooting excursion came across a deer recently killed by a tiger. A fixed his rifle over the killed deer so as to form a trap for the tiger and went home leaving the trap in charge of N. A was charged under s 22 of the Arms Act with having delivered the rifle into the possession of an unauthorised person. Held that the delivery into possession contemplated by s 22 of the Arms Act is such a delivery as to give the person to whose possession the arm is delivered control over the arm and authority to use it as an arm and that therefore A cannot be convicted for an offence under s 22.

(4) A I R 1926, Cal 265—Nirmal Chandra De—S 22 deals with persons without licences dealing with licensed vendors or purchasers or with licensees dealing with unlicensed vendors or purchasers.

(5) See also 4 N L R 78—Mukunda—24 All 434—Harpal Rai—34 Cal 219—Prokhet Chandra Chaudhuri, and L B R 1672 189, 536—Nga Poka—Notes to s 19

23 Any person violating any rule made under this Act and for the violation of which no penalty is provided by this Act, shall be punished with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees or with both.

24 When any person is convicted of an offence punishable under this Act, committed by him in respect of any arms, ammunition or military stores, it shall be in the discretion of the convicting Court or Magistrate further to direct that the whole or any portion of such arms, ammunition or military stores, and any vessel, cart or baggage animal used to convey the same, and any box, package or bale in which the same may have been concealed, together with the other contents of such box, package or bale shall be confiscated.

#### NOTES

(1) 16 Cr L J, 21—Kottuve Rowther—For delay in getting a licence and ordered confiscation of the gun. Held and set aside this order of confiscation and Police Station till the production of a licence.

(2) **1 Weir 664—Gangamma.**—Confiscation is in addition to some sentence which the Magistrate is bound to pass.

(3) **Confiscated arms, ammunition and military stores may be sold to licensed dealers or to other persons entitled to possess them,** and such rifled barrels as are to be destroyed must be sent to the nearest Ordnance officer to be broken up, and may no longer be destroyed locally. (India Nos. 1404 dated the 1.1th June 1907 and 1628 dated the 9th Oct. 1907.)

**Rules for disposal of confiscated arms:—Madras.**—All arms, ammunition or military stores which may be forfeited, or confiscated, under the Sea Customs Act or under other legal enactments, should be forwarded in the Presidency town to the Commissioner of Police, and in the mufassal to the Magistrate of the district, for disposal in accordance with the rules published on page 22 of Part I of the Madras Police Gazette, dated 13th February 1909. Such of these arms as are intended for destruction locally will be forwarded to the District Police Head-quarter office for destruction by the Police Armourer in the presence of the Reserve Inspector who should certify to the Magistrate that the arms have been properly broken up. (Madras L. R. and O.)

**Bombay.**—Arms etc, deposited at a Police station under section 14 [or sec 16] of the Act should, in the Presidency town, be kept in such place as may be appointed by the Commissioner of Police, and elsewhere should, without delay, be sent with a report by the officer in charge of the Police station to the nearest Mamlatdar's or Mahalkari's Kacheri. On the expiry of the period specified in these sections the arms, etc., should be sold under the orders of the District Magistrates to a licensed vendor or person licensed to possess arms or to go armed, and may, for that purpose be sent from one Mamlatdar's or Mahalkari's Kacheri to another or to the headquarters of the district. Such arms as cannot be so sold should, if valuable, be sent to the nearest arsenal, and if not valuable, should be destroyed. Confiscated arms and other articles should be dealt with in the same manner as provided for arms, etc., deposited under section 14 [or section 16] of the Act, and not restored within the periods specified in these sections. (Bombay L. R. and O.)

**Bengal.**—The Court Sub-Inspector shall follow the procedure indicated below in the case of all confiscated and forfeited weapons; but before doing so, he shall take the order of the Magistrate in charge of the working of the Arms Act, who shall, before a weapon is despatched to the Ordnance Office or is destroyed or is sold by auction or is transferred for the use of the police, or of any other department of Government, satisfy himself that its number and description agree with those given in the Malkhana Register. All arms, ammunition or military stores deposited under section 16 of the Arms Act and the rules made there-under shall be kept in the malkhana for one calendar year from the 1st January of the year following that in which they were deposited. Arms, ammunition and military stores as defined in section 4 of the Indian Arms Act, 1878 (XI of 1878), which are confiscated or forfeited under any provision of that Act or of any other enactment for the time being in force, and which have been kept in the malkhana for the prescribed period may, if they can be utilised by the police or by any department under the Government, be retained and brought into use with the sanction of the Local Government. If any such arms, ammunition or military stores are not so retained, they, with the exception of revolvers and pistols and rifles of prohibited bores, should be sold by auction to licensed vendors or to persons who by exemption or licence are entitled to possess them, the police being informed of the names and addresses of the purchasers in order to enable them to verify the sale. The sales in the mufassal should be conducted in January every year by a gazetted officer who should be selected for the purpose by the District Magistrate. In Calcutta, the Commissioner of Police will arrange for the auction to be held by Messrs. Mackenzie Lyall and Co. The unsold arms, ammunition or military stores should be destroyed locally in the presence of the District Magistrate or of a gazetted officer whom the District Magistrate (or the Commissioner of Police in the case of Calcutta) may select for the purpose: but all rifles of prohibited bores, revolvers and pistols shall invariably be sent to the Ordnance Officer, Fort William, Calcutta, between 1st February and 15th March every year to be broken up or otherwise destroyed. The Commissioner of Police, Calcutta, shall depute a responsible police officer to the arsenal to check and compare with the invoice the number and description of such weapons made over to the Ordnance Officer for destruction. The weapons which have been deposited but not yet been forfeited may be sold by auction on the written application of the owner, the sale-proceeds being paid to the owner.

**Note.** When despatching consignments to the arsenal, District Officers should send an intimation to the Commissioner of Police, Calcutta, together with a complete list giving the number and description of the weapons sent for destruction. [Bengal order Nos. 1515 91 P1, dated the 17th May 1923, and R. and O. para (97)]

**United Provinces.**—The discretionary power of confiscating arms conferred by section 24 of the Arms Act should be very considerably used. A mere breach of licence is not ordinarily an adequate reason for confiscation; and junior Magistrates should usually refer the question of the necessity for confiscation to the Magistrate of the district for decision (U.P. G. O. No 454-VI.—889, dated the 14th March, 1887)—Arms, and other articles to which these rules under a. 16, apply which become forfeited to His Majesty, shall be disposed of by the Magistrate as follows:—

(1) Arms, ammunition, and stores which can be utilised by the police or by any department under Government may be retained and brought into use with the sanction of the local Government. Arms, ammunition and stores not so retained may be sold to licensed dealers or other persons entitled to possess them—(2) Any rifled firearms or rifle barrels not so disposed of shall be sent to the nearest Ordnance Officer to be broken up. Other arms shall be broken up locally and the materials sold—(3) Any ammunition or stores not disposed of under the provisions of clause (1)

doted the 29th June, 1907.

14 Page 76, section 24 Cancel the entry relating to "Punjab" with reference to the Punjab Govt revised rules published with notification No 8508, dated the 5th March 1929 (Vide para 51 of this list, page 10). *added on page 303*

persons entitled to possess them. A specific and distinct order must be passed with respect to the sale of each weapon, or of each lot of ammunition or military stores proposed to be sold, and the sale price must be fixed by the District Magistrate unless the sale is to be by auction. In passing orders for the sale of arms, ammunition or military stores the District Magistrate should remember that arms, ammunition and stores which can be utilised by the police or by any department under Government may be retained and brought into use with the sanction of the Local Government, and should refer for orders any case in which it appears that it would be to the advantage of Government that the arms, ammunition or stores should be retained.

(ii) The officer of the head-quarters staff who, under the orders by the District Magistrate, deals in the first instance with questions relating to the Administration of the Indian Arms Act, 1868, and of the rules thereunder, shall be informed of the sale of arms, ammunition and military stores, and shall be furnished a full description of the articles sold and with information as to the address of the purchaser

(iii) All arms, ammunition and military stores which have been ordered by a court to be destroyed, or for the destruction of which the District Magistrate, after considering the possibility of their disposal, has passed express orders shall be dealt with as follows

(a) All rifled fire arms and fire barrels, pistols and revolvers shall be sent to the nearest Ordnance Officer under proper precautions, to be broken up. The Nazarat Officer shall advise the Ordnance Officer concerned of the despatch of such arms and shall personally supervise their despatch. He shall also inform the District Magistrate as soon as he has actually despatched them and shall, in due course, submit the receipt of the Ordnance Officer to the District Magistrate, for his information

(b) All ... this rule, ammunition and milit ... the presence of the Nazarat (

**Central Provinces.**—On the forfeiture or confiscation of any such arms, ammunition or military stores, or of any arms, ammunition or military stores under section 24 of the Act, the Deputy Commissioner shall dispose of them as follows:—

(1) Arms, ammunition and stores which can be utilized by the police or any department under Government, may be retained and brought into use with the sanction of the Local Government. Arms, ammunition and stores not so retained may be sold to licenced dealers or persons entitled to possess them. (2) Any rifled fire-arms or rifle barrels not so disposed of shall be sent to the nearest Ordnance Officer to be broken up. Other arms shall be broken up locally and the materials sold. (India No. 1407, d. 11th June 1907.) (3) Any ammunition or stores not disposed of under the provisions of clause (1) shall be destroyed.

On the confiscation of any animals or property, other than arms, ammunition or stores, under section 24 of the Act, the Deputy Commissioner shall cause them to be sold by auction in the same way as property sold in execution of a decree of a civil court. (C. P., R. and O., para 46).

**N.W.F.P.**—Arms, ammunition or military stores that have been forfeited to His Majesty under sections 14 and 16, or that have been confiscated under sec. 24 shall be disposed of follows:—

(1) Arms, ammunition and military stores which can be utilised by the police or by any department under Government may be retained and brought into use with the sanction of the Local Government. Arms, ammunition and military stores not so retained may be sold to licenced dealers or other persons entitled to possess them. (2) Any rifled fire-arms or rifle-barrels not so disposed of shall be sent to the nearest Ordnance Officer to be broken up. Other arms shall be broken up locally and the materials sold. (3) Any ammunition or military stores not disposed of under the provisions of clause (1) shall be destroyed. [N. W. F. P., L. R. and O., para. 9.]

*Vide also Notes under s. 28, page 79.*

#### VIII.—Miscellaneous.

25. Whenever any Magistrate has reason to believe that any person residing within the local limits of his jurisdiction has in his possession any arms, ammunition or military stores for any unlawful purpose,

or that such person cannot be left in the possession of any such arms, ammunition or military stores without danger to the public peace,

such Magistrate, having first recorded the grounds of his belief, may cause a search to be made of the house or premises occupied by such person or in which such Magistrate has reason to believe such arms, ammunition or military stores are or is to be found, and may seize and detain the same, although covered by a licence, in safe custody for such time as he thinks necessary.

The search in such case shall be conducted by, or in the presence of, a Magistrate, or by, or in the presence of, some officer specially empowered in this behalf by name or in virtue of his office by the local Government.

#### NOTES.

(1) 15 All. 129.—**Sangam Lal**—When a Magistrate issues a search warrant under s. 25 it is necessary that he should record the grounds of his belief that the person against whom the warrant is issued has in his possession arms, ammunition or military stores for an unlawful purpose. The Act is highly penal and must be strictly construed.

(2) 42 Mad. 26.—**Gaddam Panchalu Reddi**—A magistrate directing the issue of a warrant to search premises on information received that the owner or occupant thereof is in possession of firearms without a licence, acts as a Court and not merely as a public servant, whether he purports to act under the Cr. P. Code or under s. 25 of the Arms Act.

(3) The grounds of belief should be recorded before a search warrant is issued. Mere speculative searches are not authorised by law (U P Rule 92)

(4) 3 C L J 75, (12 C W N 973)—*Brajendra Kishar Rai Chaudhuri*—The defendant who did not, before causing the search of the plaintiff's house to be made, first record the grounds of his belief, could not justify the search under the provisions of the said Act. As there was no proceeding pending before him, the defendant was not a court within the meaning of s 94 Cr P C and, therefore, the defendant could not direct a search to be made in his presence under the provisions of s 165 of the Code. The search having been for the purpose of discovering a search for arms, where a defendant is released him from the effect of the search party of seeing that the search was conducted in a proper and reasonable manner. In such a case the damages should be substantial and not merely nominal.

(5) 36 Cal 433, (13 C W N 456)—*Brajendra Kishar Rai Chaudhuri*—When a statute creates a special right but certain formalities have to be complied with antecedent to the exercise of that right, a strict observance of the formalities is essential to the acquisition of that right. In a general search of arms under s 25 the Magistrate holding such search must first record the grounds of his belief as directed therein, in order to avail himself of the protection of that section from the consequences of his action. A Magistrate can only conduct a search under s 105 Cr P C when he is competent to issue a search warrant under s 96 of that Code which applies to the issue of a search warrant by the Court. *Per Maclean C J*—When there are special provisions in an Act of the Legislature dealing with the issue of a search for arms and laying down what are the conditions precedent to the making of such a search and there are general provisions in another Act of the Legislature dealing with searches generally and in point of fact the search was once made for arms it ought in the absence of evidence to show that the search was made under the general as opposed to the specific legislation to be taken that the search was made not under the general provisions authorising searches but under the special provisions authorising a search for arms, and especially so when the search was made by one who, in the circumstances, had no power of search under the general provisions as to searches. The scheme as regards searches under the Code of Criminal Procedure is as follows—(1) the Court can issue a search warrant under s 96 or (2) in lieu of that, the Magistrate may himself search under s 195 and (3) s 169 deals with searches by a police officer and not by a Magistrate. The duties of a magistrate in this country are at once executive and judicial. If a search is conducted by a Magistrate in his executive capacity, he cannot rely on Act XVIII of 1850 as a protection from the consequences of holding a search. *Per Harrington J*—Where the statute authorises the doing of an act which is *prima facie* a wrong to an individual, the doer must comply strictly with the conditions imposed by the statute if he desires to rely on the statute as a justification for his act. A Magistrate cannot be said to be acting judicially in directing a search to be made without any proceeding having been instituted before him which he would be called on to determine judicially. The respondent though successful was not allowed his costs for pressing charges of malice against the appellant which were held to be unfounded.

(6) 29 Cal 963—On appeal to the Privy Council Their Lordships thought that there was no foundation for the suit. Clarke's action under the circumstances was quite justified. The charge of personal misconduct advanced and reiterated without any shadow of proof deserves the severest reprobation. Their Lordships therefore advised His Majesty that the appeal ought to be allowed, the order of the Court of Appeal discharged and the suit dismissed with costs.

(7) 144 P L R 193—*Sharat Khan*—Where the accused were convicted of offences under ss 225-232 I P C and it was urged on their behalf on revision that a search under the Arms Act which gave rise to the alleged obstruction and use of criminal force on their part, was illegal inasmuch as it was made at night and was not restricted to the procedure laid down in s 25, held, maintaining the convictions that a search by night is not illegal and in cases under the Arms Act does not override s 165 of the Cr P Code.

(8) U B R 1892-1896, Vol 1, 1—*Nag Pal Tein*—Search for arms would be illegal if it was not ordered by a Magistrate in pursuance of s 25.



(9) A. I. R. 1927.—**All. Shiam Lal.**—Want of compliance with the provisions of s. 25 will not render conviction under ss. 19 and 20 illegal.

(10) The officers mentioned below are empowered under this section to conduct searches :—

**Bombay.**—District and Assistant Superintendents of Police (Bombay R. and O.)

**Bengal.**—Any Police officer not below the grade of sub-Inspector, or the Deputy Conservators of Forests Jalpaiguri and Buxa Duars in the Jalpaiguri district (Bengal R. and O. para 82 (2). )

**United Provinces**—Justices of the Peace and Superintendents, Assistant Superintendents, Deputy Superintendents and Inspectors of Police. (G. O. No. 3264-VI-660-D-2, dated the 9th November 1907).

**PUNJAB**—All Police officer not below the rank of officer in charge of a station. (Notn. 949, dated the 10th July 1907.) *11/11/11*  
*No: 8408 5752 March 1929.*

**CENTRAL PROVINCES**—All Police officers not below the rank of Sub-Inspector. (Notn. No. 8126 G. dated the 6th November 1893.)

**N. W. F. PROVINCE.**—All Police officers not below the rank of officer in charge of a station. (Notn. No. 7103 G. dated the 2nd May 1822.)

[ See also Notes under sec 28 of the Act, page 79. ]

26. The Local Government may at any time order or cause to be seized any arms, ammunition or military stores in the possession of any person, notwithstanding that such person is licensed to possess the same, and may detain the same for such time as it thinks necessary for the public safety.

Seizure and detention  
by Local Government

27. The Governor-General in Council may, from time to time, by notification published in the Gazette of India,—

Power to exempt.

(a) exempt any person by name or virtue of his office, or any class of persons, or exclude any description of arms or ammunition or withdraw any part of British India from the operation of any prohibition or directions contained in the Act ; and

(b) cancel any such notification, and again subject the persons or things or the part of British India, comprised therein to the operation of such prohibition or direction.

#### NOTES.

(1) For persons or classes of persons exempted—Vide Schedule I.

(2) For arms, ammunition or military stores excluded—Vide Schedules II & III.

(3) For parts of British India withdrawn —Vide Schedule IV.

(4) **5 P. R. C. 1892 -Bishen Singh**—There is no provision of law or of any rule having the force of law whereby the Army Regulations, India, can be held legally to restrict the powers exercised by the Governor General in Council under s. 27 of the Arms Act.

28. Every person aware of the commission of any offence punishable under this Act shall, in the absence of reasonable excuse, the burden of proving which shall lie, upon such person, give information of the same to the nearest Police Officer or Magistrate ; and, every person employed upon any railway or by any public carrier shall, in the absence of reasonable excuse, the burden of

Information to be given  
regarding offences.

proving which shall lie upon such person, give information to the nearest Police officer regarding any box, package or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against this Act has been or is being committed.

### NOTES.

(1) The provisions of this section should be widely notified in the district, in order that the public may be made aware of the responsibility that the law imposes upon them with regard to giving information of offences under the Act. (U. P., G. O. No. 23 dated the 27th Feb 1879)

(2) Rules relating to grant of rewards in the several provinces.

**Bombay**—The Commissioner of Police, Bombay, and the District Magistrates, including the Agent to the Governor in Panch Mahals, the Political Superintendent, Thar and Parkar, and the Superintendent Upper Sind Frontier, have been authorised to pay a reward of not less than half the value of articles confiscated under s. 24 to the Custom Officers, Railway Servants, Public Carriers, Police Officers, Steam boat officers or other persons who may have given information which led to the detection of the offence, or who may have arrested the offenders or seized their arms under s. 12 of the Act. It should be notified in the *Bombay Government Gazette* that rewards may be so paid and all heads of departments and agents of all Railways should be requested to explain to their subordinates and make as widely known as possible the provisions of the Act and particularly the responsibilities created by sec. 28 and the rewards which may be earned. (Bom. L. R. and O.)

(1) All persons are bound to give information of the offences under the Act. (Madras L. R. and O. para. 27).

**Bengal**—If a person is convicted of an offence punishable under the Indian Arms Act, 1878, reward may be granted to those officers or other persons who gave the original information which led to the conviction of the offenders, and also, if there be sufficient reason, to those who actually arrested the offender or seized the property in respect of which the offence was committed.

District Magistrates are empowered to pay such rewards at their discretion up to a limit of Rs. 100 in each case, and up to Rs. 500 with the previous sanction of the Commissioners of Divisions. Proposal for the payment of rewards exceeding Rs. 500 shall be submitted through Commissioners of Divisions for the sanction of Government. In the town of Calcutta the Commissioner of Police is empowered to pay such rewards at his discretion up to a limit of Rs. 500 in each case. Proposals for the payment of rewards exceeding Rs. 500 shall be submitted through the Government Magistrate for the sanction of Government.

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Rewards should be paid as soon as possible after the order of the court of first instance is confirmed, or, if no appeal has been preferred, after the period allowed for appeal has expired.

Payments for rewards will be drawn up by the Magistrate in their contingent bills and charged against "Law and Justice—Courts of Law." Provision of rewards should be made under this head by Magistrates in their district budgets.

Exceptional cases may occur in which it is desirable to grant rewards to officers or informers in cases which do not end in conviction, or in which judicial proceedings are not instituted. Rewards in such cases will be paid by the Police Department under departmental rules. The same procedure should be followed in successful prosecution with regard to informers whose names it is not desirable to divulge. (Bengal Resn. No. 655P—D., dated the 27th May 1914, letter 1524 P.—D., dated the 25th July 1914 and para. 86, Bengal R. and O.)

(9) A. I. R. 1927.—All. Shiam Lai.—Want of compliance with the provisions of s. 25 will not render conviction under ss. 19 and 20 illegal.

(10) The officers mentioned below are empowered under this section to conduct searches :—

**Bombay.**—District and Assistant Superintendents of Police (Bombay R. and O.)

**Bengal.**—Any Police officer not below the grade of sub-Inspector, or the Deputy Conservators of Forests Jalpaiguri and Buxa Duars in the Jalpaiguri district (Bengal R. and O. para 82 (2).)

**United Provinces.**—Justices of the Peace and Superintendents, Assistant Superintendents, Deputy Superintendents and Inspectors of Police. (G. O. No. 3264-VI-660-D-2, dated the 9th November 1907).

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**CENTRAL PROVINCES.**—All Police officers not below the rank of Sub-Inspector. (Notn. No. 8126 G. dated the 6th November 1893.)

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[ See also Notes under sec 28 of the Act, page 79. ]

26. The Local Government may at any time order or cause to be seized any arms, ammunition or military stores in the possession of any person, notwithstanding that such person is licensed to possess the same, and may detain the same for such time as it thinks necessary for the public safety.

Seizure and detention  
by Local Government

27. The Governor-General in Council may, from time to time, by notification published in the Gazette of India,—

Power to exempt.

(a) exempt any person by name or virtue of his office, or any class of persons, or exclude any description of arms or ammunition or withdraw any part of British India from the operation of any prohibition or directions contained in the Act ; and

(b) cancel any such notification, and again subject the persons or things or the part of British India, comprised therein to the operation of such prohibition or direction.

#### NOTES.

(1) For persons or classes of persons exempted—Vide Schedule I.

(2) For arms, ammunition or military stores excluded—Vide Schedules II & III.

(3) For parts of British India withdrawn —Vide Schedule IV.

(4) 5 P. R. C. 1892 -Bishen Singh—There is no provision of law or of any rule having the force of law whereby the Army Regulations, India, can be held legally to restrict the powers exercised by the Governor General in Council under s. 27 of the Arms Act.

28. Every person aware of the commission of any offence punishable under this Act shall, in the absence of reasonable excuse, the burden of proving which shall lie, upon such person, give information of the same to the nearest Police Officer or Magistrate ; and, every person employed upon any railway or by any public carrier shall, in the absence of reasonable excuse, the burden of

Information to be given  
regarding offences.

proving which shall lie upon such person, give information to the nearest Police officer regarding any box, package or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against this Act has been or is being committed.

#### NOTES.

(1) The provisions of this section should be widely notified in the district, in order that the public may be made aware of the responsibility that the law imposes upon them with regard to giving information of offences under the Act. (U. P., G. O. No. 23 dated the 27th Feb. 1879.)

(2) Rules relating to grant of rewards in the several provinces.

**Bombay**—The Commissioner of Police, Bombay, and the District Magistrates,

officers or other persons who may have given information which led to the detection of the offence, or who may have arrested the offenders or seized their arms under s. 12 of this Act. It should be notified in the *Bombay Government Gazette* that rewards may be so paid and all heads of departments and agents of all Railways should be requested to explain to their subordinates and make it widely known as possible the provisions of the Act and particularly the responsibilities created by sec. 28 and the rewards which may be earned. (Bom. L. R. and O.)

(1) All persons are bound to give information of the offences under the Act. (Madras L. R. and O. para. 27.)

**Bengal**.—If a person is convicted of an offence punishable under the Indian Arms Act, 1878, reward may be granted to those officers or other persons who gave the original information which led to the conviction of the offenders, and also, if there be sufficient reason, to those who actually arrested the offender or seized the property in respect of which the offence was committed.

District Magistrates are empowered to pay such rewards at their discretion up to a limit of Rs. 100 in each case, and up to Rs. 500 with the previous sanction of the Commissioners of Divisions. Proposal for the payment of rewards exceeding Rs. 500 shall be submitted through Commissioners of Divisions for the sanction of Government.

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think fit. In fixing the amount of the reward the fact of the arms and ammunition being new or old, serviceable or unserviceable, should be taken into consideration.

Rewards should be paid as soon as possible after the order of the court of first instance is confirmed, or, if no appeal has been preferred, after the period allowed for appeal has expired.

Payments for rewards will be drawn up by the Magistrate in their contingent bills and charged against "Law and Justice—Courts of Law" Provision of rewards should be made under this head by Magistrates in their district budgets.

Exceptional cases may occur in which it is desirable to grant rewards to officers or informers in cases which do not end in conviction, or in which judicial proceedings are not instituted. Rewards in such cases will be paid by the Police Department under departmental rules. The same procedure should be followed in successful prosecution with regard to informers whose names it is not desirable to divulge. (Bengal Resn. No. 655P.—D., dated the 27th May 1914, letter 1524 P.—D., dated the 25th July 1914 and para 86, Bengal R. and O.)

Rewards in cases under the Indian Arms Act, 1878, should always be upon a liberal scale, but this is particularly necessary in the case of weapons which are habitually used for the purpose of murder and assassination. Large rewards should, therefore, be given for information leading to the recovery of a revolver, automatic pistol, or magazine pistol or similar weapon possessed without lawful authority. (Bengal No. 8976-77P., dated the 8th Oct. 1914 and para. 87, Bengal R. and O.)

By section 28 of the Act every person employed upon any railway or any public carrier is bound, in the absence of reasonable excuse, the burden of proving which shall lie upon such person, to give information to the nearest Police Officer regarding any box, package, or bale in transit which he may have reason to suspect contains arms, ammunition, or military stores in respect of which an offence against this Act has been or is being committed. Such persons although legally bound to furnish the information required, are eligible for the rewards mentioned in the proceeding rules. (Para 88, Bengal Local R. and O.)

**United Provinces.**—(a) When any arms, or other articles, are confiscated under section 24, the convicting Magistrate shall, immediately on conviction, pay a reward of not less than half the estimated value on the confiscated articles to the person or persons who may have given information which led to the detection of the offence, or who may have assisted in the arrest of the offender and seizure of the arms or other articles. Such payments will be charged against Law and Justice, and be drawn by Magistrates in their contingent bills.—(b) Any Magistrate convicting an offender of any offence under the Act may, at his discretion, grant a reward, not exceeding the amount of fine imposed, in such proportions as he may think fit to any person or persons who have contributed to the arrest of the offender or the seizure of the arms or other articles.—(c) If no fine is inflicted, or if a larger reward than the fine imposed seems needed, *and in all cases in which persons are apprehended or arms or other contraband articles seized* the Magistrate of the district is hereby authorised to pay rewards, at his discretion, to the persons who have contributed to the arrest of the offenders, or the seizure of the arms or other contraband articles, up to the limit of Rs. 100 in each case, and up to Rs. 500 with the sanction of the Commissioner of the division. Rewards exceeding Rs. 500 shall not be paid without the sanction of Government.—(d) If such cases occur before a subordinate Magistrate, he should at once forward the papers connected with the case, together with his recommendation as to the amount of the reward and the persons to whom it should be paid, to the Magistrate of the district, who will at once pass such orders thereon as shall seem required.—(e) Provisions for rewards under this rule should be made by Magistrates in their district budgets; but informers who bring to light breaches of the Arms Act should be rewarded under the rules relating to rewards of class (b) in paragraph 367 of the Police Regulations. [U. P. No. 982 IV—66-D-2, dated the 8th April 1907.]

Rewards payable to police officers shall be credited to the head "General Police Fund"—Sub-head "one-half share of recoveries on account of police supplied for private entertainments creditable to Government, payable to the force as rewards" and drawn by the superintendents of police concerned when required for payment to the force. If the money has not been so deposited by the convicting magistrate the superintendent of police is not empowered to pay the reward. The balances under the sub-head mentioned above are carried forward from year to year and do not lapse to Government. (U. P. Correction List No. 2).

**Punjab, No. 899 S. dated the 29th June 1910.**—The attention of the Lieutenant-Governor has been recently drawn to the necessity for the stricter **enforcement** of the law against the unauthorised possession of arms in the province. The matter is one in which Government must chiefly depend on the vigilance of the Police, and it has been suggested that one means of furthering the object in view is to institute a system of liberal rewards for information leading to recovery of arms in unlawful possession.

(a) In notification No. 943, dated the 10th July 1907, certain rules under the Arms Act were framed, 10 and 11 of which contained orders regarding the payment of rewards by Magistrates in cases which come before them. So far as can be ascertained these orders have, to a great extent, been lost sight of, and the attention of all officers concerned is accordingly directed to the subject. It is of great importance that **rewards** should always be paid for information leading to the recovery of arms in unlawful possession, and that these rewards should, if anything, err, on the side of liberality. It is not proposed to lay down any scale of rewards or to restrict

the amount of a reward to that payable under the rules quoted above. A reward payable under these rules can, and should, be supplemented whenever expedient from other sources, e.g., the police grant for rewards and discrimination should be used in fixing the amount of the reward which latter need not bear an exact relation to the value of the weapon recovered. The recovery of a cheap revolver might in certain circumstances be a matter of far greater importance than the recovery of a valuable military rifle. There are obvious objections to the exhibition of too much energy in the direction of advertising the fact that liberal rewards will be paid for information leading to the recovery of illicit arms, but District Magistrates and Superintendents should exercise their discretion in this connection and enlist the aid of zaildars, lamahdars and native gentlemen of the district rather than work through ordinary informers.

**Central Provinces**—On the confiscation of any arms, ammunition, stores, animals or other property under section 24 of the Act, the convicting Magistrate may award a sum not exceeding the estimated value of the property so confiscated to the person or persons who may have assisted in the discovery and seizure of the arms or other property, or in the arrest of the offenders. Such payments may be drawn in the contingent bill, and charged to "Law and Justice." When any person is convicted of an offence under the Act, convicting Magistrate may award a sum not exceeding the amount of the fine imposed to any person or persons who may have assisted in the discovery and seizure of the arms or other property, or in the arrest of the offenders. The conviction, payment or award shall be subject to the order of the court, and may be varied, annulled, or reversed, if an appeal is preferred [Para 47, C P, Local R and O].

**N. W. F. P.**—Notn No 3028 G, dated the 18th March 1923. When any arms or other articles are confiscated under section 24 the convicting Magistrate shall immediately upon conviction, pay a reward of not more than half the value of the confiscated articles and in such proportion as he may deem advisable after due consideration of all the facts of the case, to the person or persons (Police Officers are included) who may have given information which led to the detection of the offence or who may have assisted in the arrest of the offenders and seizure of the arms or articles. Such payment will be chargeable to Law and Justice, and be drawn by Magistrates in their contingent bills. Any Magistrate convicting an offender of any offence under the Act may at his discretion, grant a reward not exceeding the amount of the fine imposed, in such proportions as he may think fit, to any person or persons (Police Officers are included) who have contributed to the arrest of the offender or the seizure of the arms or other articles. The powers vested in Magistrates by these Rules will be exercised subject to the supervision and general control of the District Magistrate.

**Assam**—Superintendents of Police shall grant rewards on the following scale for information leading to the discovery of arms or ammunition in the possession of a person not entitled to possess them. These orders will operate automatically and the grant of these rewards will not be optional but obligatory, unless for any special reasons the Superintendent of Police moves the Inspector General of Police through the Deputy Commissioner to have their action suspended by the Local Administration.

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17 Page 81, sub para (1) below 'Assam'. For figures Rs 100 opposite to 'Rifles revolvers and any class of modern pistol' Read Rs 200.

... recommended by a Court should be disposed of by the District Magistrate, and the rewards should be paid as soon as possible after the period within which an appeal can be preferred expires, or the order of the court of first instance is confirmed whichever may first happen.

By section 28 of the Act every person, employed upon any railway or by any public carrier, is bound, in the absence of reasonable excuse, the burden of proving which shall lie upon such person to give information to the nearest police officer regarding any box, package or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against this Act has been or is being committed. Such persons although legally bound to furnish the information required, are eligible for the rewards mentioned in the preceding rule [Assam L R and O, paras 10 and 11].

29. Where an offence punishable under section 19, clause (f), has been committed within three months from the date on which this Act comes into force in any province, district or place to which section 32, clause 2 of Act XXXI of 1860, applies at such date, or where such an offence has been committed in any part of British India not being such a district province, or place, no proceedings shall be instituted against any person in respect of such offence without the previous sanction of the Magistrate of the District, or, in a Presidency town of the Commissioner of Police.

(1) See notes (29) to (38) under s. 19, *ante*, and note (1) to sec. 30, below.

30. Where a search is to be made under the Code of Criminal Procedure, 1882, or the Presidency Magistrates Act, 1877, in the course of any proceedings instituted in respect of an offence punishable under section 19, clause (f), such search shall, notwithstanding any thing contained in the said Code or Act, be made in the presence of some officer specially appointed by name or in virtue of his office by the local Government in this behalf, and not otherwise.

#### NOTES.

(1) *Sections 29 and 30.*—apply to proceedings instituted under s. 19 (f). When the case falls within s. 20, of the Act, ss. 29 and 30 do not apply either to the search for arms, to the arrest of the possessor or to the sending of the case for trial before a magistrate. As there are no special provisions governing cases under s. 20, the effect of s. 5 of the Cr. P. C. is that the police must act under that Code, which treats cases punishable with imprisonment for three years and upwards as cognizable. In cases to which s. 25 applies magistrates will have to be guided by it, but that section does not restrict the action of the police under the Cr. P. C. in cases which fall within s. 20 \*\*\* (Burma A. M., Edn. 1922.).

(2) In the Madra Presidency searches in respect of an offence punishable under section 19 (f) may be made in the presence of a Magistrate, an Inspector or Sub-Inspector of Police or of a head of village. In the taluks of Calicut, Ernad and Walavanad and Malabar district, searches in respect of offences punishable under section 19 (f) may be made in the presence of a Magistrate, an Inspector or sub Inspector of a Police, station house officer or of a head of a village. (Notn. Nos. 334 and 132 dated the 31st Aug. 1833 and the 14th Mch. 1885).

(3) In other provinces searches under this section are to be made in the presence of the following officers:—

**Bombay.**—Police officers of not lower rank than a chief Constable (Bombay L. R. and O.)

**Bengal.**—Magistrate or a Police Officer not below the grade of sub-inspector (Notn. No. 10673 P. dated the 12th Nov. 1914, and para 83 Bengal L. R. and O.).

**United Provinces.**—Magistrates, Justices of the Peace. Superintendents, Assistant Superintendents and Deputy Superintendents, Inspectors of Police, and officers-in-charge of reporting stations (G. O. No. 3264 dated the 9th Novr. 1907).

**Punjab.**—Police-officers of rank not below that of officer in charge of a station. (Notn. No. 114 dated the 10th July 1909).

**Central Provinces.**—Magistrates and Police Officers not below the rank of Sub-Inspector. (Notn. No. 8126 dated the 6th Nov. 1893).

**N. W. F. Province.**—All Police officers of rank not below that of officer in charge of a station (Notn. No. 7103 G., dated the 2nd May 1922.)

(4) 16 A L J 721—Bahuram—The power of search in respect of an offence punishable under s 19 (f) must be exercised in the presence of some officer specially appointed by name or in virtue of his office by the Local Government in this behalf. A search conducted by a Police officer in charge of a reporting station specially empowered as above without obtaining a warrant from a Magistrate is not illegal.

(5) 8 P R 1915 Gr Khem Singh—Search in this section refers to searches of house or premises occupied by suspected persons and not to searches of persons. Even if the search of the accused was illegal it made no difference to the fact

31 Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or the rules made under it, or from being liable under such other law to any higher punishment or penalty than that provided by the Act. Provided that no person shall be punished twice for the same offence.

#### NOTES

(1) 5 Bom L R 26—Kanj Joy Singh—The accused was sentenced to a term of imprisonment for an offence under the Arms Act. The sentence was ordered to run concurrently with another sentence previously passed upon him under s 123 Cr P O. Held that the sentence for the substantive offence must commence at once and cannot be postponed to take effect after the expiry of the period of imprisonment in default of giving security for good behaviour which the accused was undergoing at the date of the conviction. That s 35 Cr P O applies to sentences on conviction for offences at one trial and has no application to imprisonments under s 123 Cr P O.

(2) 3 L B R 218—Po Ka—The case against the accused was founded on facts which constituted an offence under the Arms Act as well as under section 30 of the Rangoon Police Act. Held that the accused should not have been charged and convicted twice as for two offences under each of the said Acts.

(3) 8 M L T 298—Joseph Kangan—Where a case might properly have been tried under the Arms Act or the Explosives Act but the public prosecutor did not ask the High Court to order a retrial the High Court cannot convict the accused under either of those two enactments without a fresh trial.

32 The local Government may from time to time, by notification in the local official Gazette direct a census to be taken of all fire arms in any local area and empower any person by name or in virtue of his office to take such census.

On the issue of any such notification, all persons possessing any such arms in such area shall furnish to the person so empowered such information as he may require in reference thereto and shall produce such arms to him if he so requires.

Any person refusing or neglecting to produce any such arms when so required shall be punished with imprisonment for a term



which may extend to one month, or with fine which may extend to two hundred rupees, or with both.

33. No proceeding other than a suit shall be commenced against any person for anything done in pursuance of this Act, without having given him at least one month's previous notice in writing of the intended proceeding and of the cause thereof, nor after the expiration of three months from the accrual of such cause.

Notice and limitation  
of proceedings.

NOTE.—For additional section 34—See Punjab Local Rules and Orders.

THE FIRST SCHEDULE.—ENACTMENTS REPEALED.—(SEE SECTION 3).

Number and year.	Title.	Extent of Repeal.
XVIII of 1841 ...	An Act for consolidating and amending the enactments concerning the exportation of militarys stores,	So much as has not been repealed.
XXX of 1854 ...	An Act to provide for the levy of duties of Customs in the Arracan, Pegu, Martaban and Tenasserim Provinces.	In the preamble, the words "and that the exportation of munitions of war from any of these Provinces into foreign States should be prohibited." Section II.
XXXI of 1860 ...	An Act relating to the manufacture, importation and sale of arms and ammunition, and for regulating the right to keep and use the same, and to give power of disarming in certain cases.	So much as has not been repealed.
VI of 1866 ...	An Act to continue Act, No. XXXI of 1860, (relating to the manufacture, importation and sale of arms and ammunition, and for regulating the right to keep and use the same and to give power of disarming in certain cases) and for other purposes.	The whole.
III of 1872 ...	The Santhal Parganas Settlement Regulation.	So much of the Schedule as relates to Act XXXI of 1860 and Act VI of 1866.
IX of 1874 ...	The Arakan Hills District Laws Regulation, 1874.	So much of the Schedule as relates to Act XVIII of 1841.
XV of 1874 ...	An Act for declaring the local extent of certain enactments and for other purposes.	So much of the first Schedule as relates to Act XVIII of 1841.

THE SECOND SCHEDULE—ARMS, ETC., LIABLE TO DUTY.

[Repealed by the Repealing and Amending Act, 1891 (Act XII of 1891.)]

THE INDIAN ARMS RULES, 1924; as amended by subsequent notifications published up to 1st January 1928.

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HOME DEPARTMENT. NOTIFICATION, NO F. 829-1-22, DATED THE 3RD NOVEMBER, 1923.—In exercise of the powers conferred by sections 4, 10, 17 and 27 of the Indian Arms Act, 1878 (XI of 1878), the Governor-General in Council is pleased to make the following rules.—

1. Short title.—(1) These rules may be called the Indian Arms Rules, 1924.

(2) They shall come into force on the 1st January, 1924

2. Interpretation—(1) In these rules, unless there is anything repugnant in the subject or context,—

"District Magistrate" means in the case of Aden, the Assistant Political Resident; in the case of the suburbs of Calcutta, as defined in the Government of Bengal notification, dated the 21st September 1880, the Commissioner of Police, Calcutta, and, in cases where the Local Government so directs in respect of any district or part thereof, an Additional District Magistrate,

"Form" means a Form as set out in Schedule VIII; and

"the Act" means the Indian Arms Act, 1878.

(1) In the said Rules—

(i) Except where otherwise expressly provided in this notification, for the words "Governor-General in Council", "Government of India" or "local Government" wherever they occur, the words "Central Government" shall be substituted for the purpose as it applies for Governor-General in Council.

(2) In rule 2 of the said Rules—

(i) in sub rule (1) the words "in the case of Aden, the Superintendent of Police" shall be omitted,

the Governor in District Magistrate of the District Magistrate and O Notn

(ii) in sub rule (2), for the words "an Act of the Governor General in Council" the words 'a Central Act' shall be substituted

The persons and the parts to IV are to the extent of the operation

(3) In clause (a) of the proviso to sub rule (1) of rule 3 of the said Rules the words "or the transport within the province of Burma of arms ammunition or military stores" shall be omitted

Provided that the exemptions specified in Schedule I are made subject to the following conditions, namely.—

(a) they shall not be deemed to render lawful the import of arms or ammunition, save from Berar, or the transport within the Province of Burma of arms, ammunition or military stores, through the medium of the Post Office,

(b) save in the case of persons included in entry (1) (b), entry (2) or entry (6) (e) of the said Schedule, any person so exempted shall register in such manner as the local Government may prescribe any firearm or ammunition for the same in respect of which he is exempted from the operation of any provisions of the Act,

(c) every person shall, on the loss or theft of any arm in respect of which he is so exempted, forthwith report the occurrence at the nearest police station ; and

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(d) the Governor-General in Council may, by notification in the ~~Gazette of India~~, direct that any such exemption conferred on a class of persons shall cease to extend to any person included in that class who may be named in the notification.

(2) Any person failing to comply with any condition of exemption set out in provisos (b) and (c) to sub-rule (1) shall be deemed to have violated these rules.

#### NOTES.

(1) The exemption conferred under this rule (and entry (10), Schedule I) shall cease to extend to Satti Muhammad, son of Ghuman, Lambarder of Chak No. 246, Rakh Branch, Lyallpur District, Punjab. (Notn. No. F. 21-XV-24 dated the 22nd April 1924.)

(2) The Home Department notification No. F. 21-XIX-23, dated the 1st August 1923, withdrawing the exemption conferred by sub-rule (1) of rule 3 of the Indian Arms Rules 1920, [in clause (g) of entry (11) to Schedule I relating to landholders and members of a Municipal Board or a Committee] on Pir Muhammed Hassan walad Abdul Rahman of the Thar and Parkar District, in respect of the prohibitions and direction, contained in sections 13, 14, 15 and 16 of the Indian Arms Act 1878 (XI of 1878) is hereby cancelled. (Notn. No. F. 21-XIX-22-23, dated the 9th Sept. 1924.) [Note.—Entry No. (11) of Schedule I annexed to the Indian Arms Rules 1920, has been omitted from the Schedule attached to the present Rules.]

(3) Under proviso (d) to sub-rule 1 of Rule 3, the exemption conferred on persons holding titles conferred or recognised by Government, and on taluqdars of Oudh shall cease to extend to Raja Sri Partab Singh, taluqdar of Haraha, Bara Banki district, U.P. (Notn. No. F-21-XXXIII-27 dated the 14th May 1927.)



breech-loading rifles, parts of breech-loading rifles, rifle-ammunition or military stores for rifles shall be granted only—

*by the Local Government or*  
~~(i) by the Local Government, or~~

~~(ii) in Sind, by the Commissioner in Sind~~

2. In sub-rule (3) of rule 28 and sub-rule (1) of rule 38 of the said Rules for the words and figures "rifles of .303 or of .450 bore and for pistols and revolvers of .441, .455 or any intermediate bore" the words and figures "rifles of .303 or of .450 bore, for muskets of .410 bore and for pistols and revolvers of .441, .455 or any intermediate bore" shall be substituted. *or a new Calibre of .38 Bore*

*Rev.*  
~~the Commissioner in~~  
 r this rule, authorize  
 specified amount  
 and for pistols a  
 from his stock to a

*or a licence for the export of loaded ammunition to a State*  
 India granted by a Political Officer empowered, under sub-rule (1) of rule 16 or sub-rule (1) of rule 17, to grant licences for export to such State.

(4) Every Magistrate and every Police-officer not below the rank of Inspector, or, if the Local Government so directs, of Sub-Inspector, may, within the local limits of his authority,—

(a) enter and inspect any premises in which arms, ammunition or military stores are manufactured, converted, sold, or kept for sale, and

(b) examine the stock and accounts of receipts and sale of arms, ammunition or military stores.

1929)

29. Licence to keep for safe custody firearms and ammunition—A licence to keep for safe custody firearms and ammunition deposited by their owners for that purpose may be granted in Form XIII to the holder of a licence in Form IX, Form X, Form XI, or Form XII.—

(a) in a Presidency-town or Rangoon—by the Commissioner of Police, or

(b) in any other place—by the District Magistrate or by any Sub divisional Magistrate specially empowered by the Local Government in that behalf

#### Possession

30 Restriction upon possession of cannon and certain other articles—(1) A licence for the possession of—

(a) cannon,

(b) articles designed for torpedo service,

(c) war rockets, or

(d) machinery for the manufacture of arms or ammunition,

(e) "continuous fire firearms" only by the Governor-General in Council.

A copy of every licence granted under sub-rule (1) shall forthwith be sent—

(a) where the articles are to be kept in a Presidency-town or Rangoon—to the Commissioner of Police or

(b) where they are to be kept in any other place—to the District Magistrate of the district in which such place is situated

#### NOTES

(1) A licence granted to a Maharaja for the possession of cannon should be regarded as a licence granted in favour personally of the Maharaja who holds the title at the time the licence is issued and it is necessary for the licence to be renewed in the case of each succeeding title holder (India letter No 1490, dated the 2nd July 1898).

(2) No fee is prescribed for the licence to import export, transport or possess "cannon" Vide (Licence Form No I)

31 Possession of arms, ammunition or military stores—Save as otherwise provided by rule 30, a licence for the possession only of arms, (other than pistols or revolvers), ammunition or military stores may be granted in Form XIV—)

(a) in a Presidency-town or Rangoon—by the Commissioner of Police, or

(b) in any other place—by the District Magistrate or by any Sub divisional Magistrate specially empowered by the Local Government in that behalf.



necessarily illegal under the existing law. In the second case, proceedings were at first instituted against the purchaser under Act XI of 1878, but the case subsequently withdrawn, as it was thought that a prosecution could not be successfully maintained either under the Arms Act or the Penal Code.—2. Troops in India are constantly subject to thefts of arms of precision, and as these arms are of little or no use without their special ammunition, it is considered by the military authorities highly important to prevent such ammunition from becoming generally available.—It is evident, however, that in cases in which it may be desired to prosecute for the illicit possession of Government arms and ammunition, the *onus* of proving that such arms and ammunition, are the property of the State, will lie with Government, unless, it can be shown that they bear a well-known distinguishing mark. It appeared, therefore, to the Government of India necessary that some easily recognizable Government mark should be stamped upon all Government arms and small-arms and machine-gun ammunition, whether manufactured in England or in India, and also \* \* \* that Government arms which have been sold or given away should be suitably marked so as to show that they have ceased to be the property of Government.—3. It has been arranged with the Secretary of State for India that in the case of small-arm and machine-gun ammunition manufactured in England for use in India each cartridge will in future

be stamped with the Government mark <sup>^</sup> on the base. Arms obtained from the War Office in England bear the mark W<sup>^</sup>D and those provided by the India Office,

London, are marked <sup>^</sup>. I am to append statements\* containing complete information as to the distinguishing Government marks on Government arms and ammunition whether manufactured in England or in India. All arms which are sold or given away, and which thus ceases to be the property of Government, will be distinguished from Government arms by bearing the mark of inverted<sup>^</sup> [arrows together with the Arsenal monogram and date of issue in the places indicated at the end of the last statement.—4. Instructions should be now issued to district and other local authorities with a view to the prosecution, under the provisions of the Indian Arms Act, 1878, of persons who may be in possession of arms and ammunition which are the property of Government. [\*Note.—The statements are published on pages 160–180 of the Burma Arms Manual, Edn. 1926.]

(4) The issue and renewal of licences for pistols and revolvers must be kept in the hands of District Magistrate himself and never be delegated to a subordinate. In dealing with applications for licences for pistols and revolvers it must be understood that such licences are not to be given or renewed without adequate reason. For the purpose of legitimate defences a smooth-bore gun charged with buckshot would be equally, if not more, effective on almost every occasion. New licences for pistols and revolvers will be granted only in cases of real necessity and to persons of approved character; in each case the District Magistrate shall at the time of issue record his reason for granting the licence. And no licence should be renewed unless the weapon is produced before and passed by the District Magistrate. Magazine and repeating pistols must be classed as revolvers.—(Bengal No. 659–60P. dated the 20th May 1909, extended to Eastern Bengal under Circular No. 826–30 P. of the 28th Feb. 1913 and India No. 2125 C., dated the 21st March 1919.)

(5) Revolvers and pistols may be possessed only by persons of good character who can satisfy the licensing authority as to the need for such weapons. No fresh licences for such weapons should be granted unless the licensing authority is satisfied that the weapons are really necessary; but existing licences should ordinarily be renewed. [*U. P. No. 23/VI–844, dated the 2nd Jan. 1920, and No. 2440/VI–844, dated the 5th May, 1920.*]

(6) With reference to sub-rule (3) of rule 33, it is directed that holders of licenses in Form XVI, granted, in other provinces, and having effect in the Punjab, shall, upon entering any district in the Punjab send their licenses to be endorsed by the District Magistrate, and shall inform him of the period of their stay in his district; provided that, when the period spent in any district does not exceed fourteen days, no endorsement shall be necessary. No fee shall be payable in respect of any endorsement made in accordance with this order. (Punjab No. 1821 dated the 5th March 1924.)

(7) In cases where a licence-holder is transferred or removes his residence from one district or area to another during the period for which his licence is valid, the licence should not be cancelled, but the officer who granted the licence should,

if there be no objection and, if necessary, after making a reference to the other district, endorse the licence under rule 33 (2) (a), so as to make it valid for the district to which the licensee is transferred or has removed, no extra fee being charged. (Bengal R. and O. para. 59) — When the 6th July 1921, Bengal R. and O. para. 59) — When more than that in which the applicant Magistrate should consult the Magistrate of the other district before passing orders on the application. (Bengal No. 1213 P. dated the 16th March 1923, and R. and O. para. 60)

(8) Licences in form XVI for possession and going armed may be freely made

(9) A single licence should ordinarily be issued for all weapons issued in the name of one person. The licensing authority may, however, issue more than one licence for different weapons, in cases where a single licence would cause inconvenience, e.g., a licence to a zamindar for arms kept at different *kacheris*. (Bengal R. and O. para. 63).

(10) The attention of the District Officers is drawn to Forms XVIII and XIX which are specially intended to provide for the needs of cultivators who desire to keep arms to defend their lives and their crops from wild beasts. District Officers should issue licences in Forms XVIII and XIX when the guns are really needed for the purpose of destroying wild animals, Form XVI being used in other cases where no other form is specially applicable. Advantage should be taken of opportunities to convert licences in Form XVI to licences in Forms XVIII and XIX when possible and appropriate. Licences in Form XIX should be issued with liberality for the protection of crops in places where they are damaged by wild animals. In drawing the attention of the District Officers to the special purposes for which licence is issued, it is not intended to place any undue restrictions on the purpose of the licence of life and property.

(11) A licence for a double-barrel breech loading, 12 bore shot gun to cover weapons of the type of the "Paradox," "Explora" and "Farrington" is regarded as smooth bore gun, as they are rifled for two inches from the muzzle. Such weapons are terms of the licence exp 1923, Bengal No. 10675 77 f

(12) or even th terms of t July 1916 and R. and O. para. 60)

(13) Licences for the possession of automatic weapons and O. para. 67)

(14) Inclusion of RETAINERS of ~~gentlemen~~ also Notes to Rule 37)

BENGAL — Inclusion of retainers The provision for including retainers whose standing or circumstances are such as to require retainers or servants who carry weapons. The provision of gentlemen included in the

firms and rich merchants as provided in paragraphs 42 and 44 of the Bengal Local R. and O. If any retainers whose name is entered in a licence, should, during the continuance of the licence, die, or be dismissed from, or resign the service of the licence-holder, no other person shall be entitled to possess arms or ammunition as the successor of such retainer, unless his name, father's name and address are entered in the licence under the signature of the officer who granted the licence or the successor to such officer. When no retainers are licensed, the fact should be clearly indicated in column 5 of Form XVI or column 4 of Form XX, as the case may be. (ii) Retainers of exempted persons shall not be allowed more than one smooth-bore muzzle-loading or breech-loading gun each. (iii) As a precaution against the possibility of firearms of exempted great zamindars' retainers passing into the hands of unauthorised persons, each retainer is to be furnished by his Zamindar with a Parwana\* authorising him to carry one smooth bore breech-loading or muzzle-loading gun. It is not desirable that spare copies of the form should be allowed to accumulate with private persons. "Great zamindars" should therefore be given only as many forms as they have retainers covered by their exemptions, and they should be requested to take particular care not to leave blank forms where unauthorised persons can have access to them. For similar reasons indenting officers should keep their spare stock of the forms under lock and key in a responsible officer's charge.

\*Parwana Form.—You *A, B.*, son of *C. D.*, of village *E*, thana *F*, are hereby appointed to be my armed retainer and you are authorised to possess, carry and use, in accordance with all lawful orders issued by me or my agent at \_\_\_\_\_, one muzzle-loading gun No. \_\_\_\_\_ gunpowder and \_\_\_\_\_ percussion caps. You must not use the gun or ammunition for any unlawful purpose except as may be ordered, and you must carry this parwana with you whenever you carry the gun outside the house or my Kacheri.—You must at once inform the nearest police-station of the loss or theft of any ammunition or of the gun.

(Thumb impression of retainer,  
to whom this parwana is issued.)

(Sd.) *X. V. Z.*—(Name,  
title, if any, and address.)

(iv) As it was represented that private firms, which had to make large remittances of money, experienced great difficulty in obtaining licences for their darwans, instructions were issued that licences in Form XVI of the Indian Arms Rules should be granted in the name of the firm (European or Indian) and that the name of the firm's chaprasi or servants who would ordinarily be employed in guarding remittances and who would be entrusted with guns should be entered in the appropriate column of the licence form. At the same time a parwana in following form\* should be issued to the licensee for each of the retainers allowed. These parwanas should remain in the personal custody of a responsible member or agent of the firm and should be made over to the retainers when they are entrusted with the guns by virtue of the licence. Should it be necessary to make any change in the list of the licensed retainers a responsible member or agent of the firm may make and sign the alteration in the parwana. The parwana should be returned at the end of the year along with the licence, when application for the latter's renewal is made. When such darwans, chaprasis or servants accompany a remittance they must take out journey licences in Form XX unless they hold licence in Form XVI made valid under rule 33 (b) for the districts through which the journey is to be made. The same precautions are prescribed to prevent these forms coming into the hands of unauthorised persons as in the case of the parwanas of great zamindars' retainers. (NOTE.—When licences are granted to firms in respect of pistols and revolvers for use by their employees the necessary alteration should be made in manuscripts in the parwana form, inserting pistol or revolver for "gun.")

\*Parwana— You \_\_\_\_\_ Son of \_\_\_\_\_ of \_\_\_\_\_ Village \_\_\_\_\_ Thana \_\_\_\_\_ District \_\_\_\_\_ are hereby appointed to be an armed retainer of the firm and you are hereby authorised to possess, carry and use in accordance with all lawful order issued by me or a member or agent of the firm one breech-loading gun No. \_\_\_\_\_ and \_\_\_\_\_ cartridges.—You must not use the gun or ammunition for any unlawful purposes or except as you may be ordered, and you must carry this parwana with you whenever you carry the gun.

Thumb impression of the retainer  
to whom this parwana is issued.

Signature, Name—Address  
Position in the firm.  
Name and address of firm—

(v) Gun licences in Form XVI should be freely granted to rich merchants, who do not at present enjoy the privilege of keeping armed retainers, if they keep a retainer or servant of the pensioned sepoy class. It is not desirable to fix any limit

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(United Provinces.—(i) The terms of the licence in Form XVI mean that, unless there are clear orders to the contrary, a retainer is allowed to carry and use the arms covered by the licence (i.e., entered in columns 8 and 9 of the licence) whether he is in attendance on his master or not—(ii) The retainer of an exemptee, if included in list of retainers sanctioned under clause 6 (g) of Schedule I, and communicated to the District Magistrate, is similarly entitled to carry and use the arms in respect of which his master is exempt whether he is in attendance on his master or not—(iii) Relations can be entered in column 5 of the licence as retainers without payment of extra fees,—(iv) but after con-  
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Central Provinces.—Retainers should be entered in Form XVI licences only in the excec-  
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may be included as retainers in licence Form XX with a view to enable them to carry arms on a journey.—The power of entering retainers on licences must not be abused. Retainers who would never on their own merits obtain licences should not be entered on licences of others without very good reason. There is no sufficient reason for allowing retainers in the licences given to ordinary applicants. As a general rule, if a retainer is fit to have a licence he should take one out for himself and pay his fee. If he is not fit to have a licence, neither is he fit to be shown as a retainer in the licence of another person.—As a precaution against the possibility of firearms of retainers passing into the hands of unauthorized persons, each retainer is to be furnished with a 'parwana' in the accompanying form authorising him to carry the arms

\*PARWANA FORM.—You, A B, son of C D, of village E, thana F, are hereby appointed to be my armed retainer and you are authorized to possess, carry and use, in accordance with all lawful orders by me or my agent at one muzzle-loading or breech-loading gun No gunpowder and percussion caps. You must not use the gun or ammunition for any unlawful purpose and you must carry this parwana with you wherever you carry the gun.

You must at once inform the nearest police station of the loss or theft of any ammunition or of the gun

(Thumb impression of retainer to whom the parwana is issued)

X V, Z

(Name, title, if any, and address)

(ii) If any retainer whose name is entered in a licence should, during the continuance of the licence, die or be dismissed from or resign the service of the licence holder, a report should be made by the licence holder to the granting authority. No other person shall be entitled to possess arms or ammunition as the successor of such retainer, unless his name, father's name and address are entered in the licence under the signature of the officer who granted the licence or the successor to such officer. The granting authority should report any information as to changes of address received by him either from licence-holders, in compliance with condition 11 of the conditions attached to the licence in Forms XVI or otherwise,

II mentioned in rule 37 (in C. P., R. and O.) will be impaired if changes of address are not duly communicated by licence-holders, (C. P., R., and O. paras. 11 and 12.) [NOTE.—The same rules apply to Berar where the Forms corresponding to Forms XVI and XX are Forms XII and XV.]

34. Temporary licence for possession of arms and for going armed by *bona fide* travellers. (1) Save as otherwise provided by rule 30, a licence may be granted in Form XVII to a *bona fide* traveller proceeding from a port of arrival in British India to his place of destination and for the possession of arms and ammunition in reasonable quantities during the period occupied in so proceeding and for going armed during such period—

(a) if the port of arrival is a Presidency-town or Rangoon—by the Commissioner of Police, and

for clauses (a) and (b) of the proviso to (1) of rule 34 of the said Rules the following clauses shall be substituted, viz:—

(1) no licence shall be granted for the possession of such rifles, muskets, pistols or revolvers as are specified in clause (a) of sub-rule (1) of rule 7, or of ammunition for rifles of .303 or .450 bore or for muskets of .410 bore or for pistols or revolvers of .441, .455 or any intermediate bore, or for going armed with such rifles, muskets, pistols, or revolvers unless such rifles, muskets, pistols, revolvers or ammunition have been lawfully imported into British India; and

no licence shall be granted in respect of balled ammunition for rifles of .303 or .450 bore or for muskets of .410 bore or for pistols or revolvers of .441, .455 or any intermediate bore unless the authority granting the licence is satisfied that such rifle or musket is lawfully possessed by the owner thereof for sporting purposes or that such pistol or revolver has been lawfully imported into British India, as the case may be."

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#### NOTES.

(1) In this rule a new Form of licence (XVII) has been introduced permitting a *bona fide* traveller proceeding from a port of arrival in British India to his place of destination to possess arms and ammunition in reasonable quantity during the period of the journey. Passengers who had no permanent licence for their arms must produce this temporary licence on board when they will be permitted to land with

the arms failing which the arms will be taken possession of by Collector of Customs and returned to the passenger on his obtaining a licence in this form from the  
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licences to meet incoming vessels, but this facility is not guaranteed (Bengal R and O, para 4)

(2) See also para 13 of "Explanation of Rules" (page 35), para 15 of Arms Committee's recommendation, (page 81), para 11 of Home Dept resn dated the 30th Nov 1923 (page 27)

**35 Possession of arms and ammunition, and going armed for the destruction of wild animals.** A licence for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to human beings or cattle may be granted in Form XVIII by the District Magistrate or by any Sub-divisional Magistrate specially empowered by the Local Government in that behalf.

**36 Possession of arms and ammunition and going armed for the protection of crops** A licence for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to crops or cattle may be granted in Form XIX by the District Magistrate or by any Sub-divisional Magistrate specially empowered by the Local Government in that behalf.

Provided that such licence—

(a) shall only be granted to *bona fide* cultivators, and

(b) shall be valid only in the place or area specified in the licence by the licensing officer.

#### NOTES

In order to cover the cases of Government arms which in some provinces it may be the custom to lend to private  
 other reason, a note giving t  
 should be made in the licence

**37 Going armed on a journey** (1) A licence for going armed on a journey in or through any province may be granted in Form XX—

(a) in a Presidency-town or Rangoon—by the Commissioner of Police,

(b) in any other place—by the District Magistrate or by any Sub-divisional Magistrate specially empowered by the Local Government in that behalf, or

(c) in the case of a person residing in a State in India—by the Political Officer for such State

(2) Where a Commissioner of Police or District or Sub-divisional Magistrate receives an application for a licence of the nature referred to in sub-rule (1) from any person who—

(a) is not resident within the local limits of his authority, or

(b) is not personally known to him,

he shall, before granting the licence, ascertain—

(i) when the applicant resides in a Presidency-town or Rangoon—from the Commissioner of Police;

(ii) when the applicant resides in another place in British India or Berar—from the District Magistrate of the district in which such place is situated, or

(iii) when the applicant resides in a State in India—from the Political Officer for such State,

whether there is any objection to the grant of the licence unless, for reasons to be recorded, he considers this precaution to be unnecessary.

(3) A licence granted under rule 21 of the British Beluchistan Arms Rules, 1927, may be countersigned, by the Secretary to the Chief Commissioner, British Beluchistan, as valid throughout the whole or any specified part of British India, and if so countersigned, shall be deemed to be a licence granted under this rule.

#### NOTES.

(1) There are possibilities of danger in allowing a general licence to carry arms to be granted in these forms to the retainers of licence-holders as without an obligation on the part of the officer granting the licence to specify the names and description of the retainers so covered. These forms were accordingly amplified in order to ensure that the names of all retainers with such particulars as were necessary for this identification are entered in every licence. (Statement of Changes, 1909.)

(2) The quantity of ammunition which a licensee may possess should in every case be entered in column 3 of the licence; but the quantity thus entered presents the maximum which the licensee may possess at any one time. In respect of this point it appears that \* \* \* are in error in supposing that the entry of a given quantity of ammunition in column 3 of the licence represents the absolute maximum which a licensee may possess throughout the year. (India No. 4108 dated 1st Nov. 1909.) See also notes under Rule 33, page 107 *ante*.

#### *Possession and Import or Transport.*

**38. Possession by dealers of certain balled ammunition with liberty to import.** (1) A licensed dealer authorized by the Local Government or the Commissioner in Sind under sub-rule (3) of rule 8 to sell and keep for sale a specified amount of balled ammunition or rifles of '303 or of '450 bore and for pistols and revolvers of '441, '555 or any intermediate bore may be permitted—

(a) in a Presidency-town or Rangoon—by the Commissioner of Police, or

(b) in any other place—by the District Magistrate, to import such ammunition up to such amount.

(2) Where application is made under sub-rule (1) for permission to import balled ammunition, the dealer shall produce his licence and, if permission is granted, the authority granting it shall

endorse on the licence the quantity of ball'd ammunition for which, and the date on which, such permission was granted.

*Application for, and grant of, Licences.*

39. **Previous sanction in certain cases.** (1) Save as provided by rule 26, a licence, having effect beyond the local limits of the authority of the officer granting it, shall not be granted—

(a) for the export of any arms, ammunition or military stores to a State in India without the previous sanction of the Political Officer for such State, or to any place in Berar without the previous sanction of the Magistrate of the district in which such place is situated ;

Provided that the previous sanction of such Political Officer shall not be necessary in cases where the consignee is—

(i) a Ruling Prince or Chief :

(ii) a gazetted officer in civil employ or an officer holding His Majesty's commission in his Majesty's military or air forces ;

(iii) a member of the family of a Ruling Prince or Chief or a Noble or an official of a State in India who has been designated in this behalf by the Local Government or Political Officer concerned, or

(iv) one of the persons or a person, belonging to one of the classes of persons specified in Schedule I, and the consignment is intended for the personal use only of the consignee ; or

(b) for the import or transport of any arms, ammunition or military stores—

(i) to a Presidency town or Rangoon without the previous sanction of the Commissioner of Police ; or

(ii) to any other place in British India, without the previous sanction of the District Magistrate of the district in which such place is situated ; or

(iii) to any port within the political charge of the Political Resident at Aden or the Political Resident in the Persian Gulf, without the previous sanction of such Political Resident.

(2) Save by the Commissioner of Police in a Presidency-town or Rangoon, a licence shall not be granted under rule 24 for the transport of any breech-loading rifle or ball'd ammunition to any place in—

(a) the North-West Frontier Province, or

(b) the Rawalpindi, Dera Ghazi Khan, Mianwali or Attock Districts of the Punjab, without the previous sanction of the Local Government.

(3) The previous sanction referred to in this rule may be obtained either—

(a) by the applicant for the licence, or,



(b) by the officer to whom application for the grant of such licence is made.

(4) Where the previous sanction is sought by the officer to whom application for the grant of the licence is made, he shall send a copy of the proposed licence to the authority whose previous sanction is required, and, on receipt of the reply of such authority, he shall either grant the licence or inform the applicant that his application is refused.

#### NOTES.

Under rule 39 (1) it is no longer necessary that the previous consent of the Political officer should be obtained in cases where arms and ammunition ordered from the towns of Madras, Bombay and Calcutta are exported to an Indian State under a licence granted by the Commissioners of Police, Madras and Bombay, and the Deputy Commissioner of Police, Calcutta, for the personal use of—(1) a Ruling Prince or Chief, or (2) a member of his family or a noble or an official of his State who may be designated in this behalf by the local Government or Political Officer concerned. The Commissioners of Police, Madras and Bombay and the Deputy Commissioner of Police, Calcutta, are however required under rule 17 (3) of the Arms Rules to send to the Political Officer concerned, in due course, copies of all licences issued by them, to enable a check on the import of arms and ammunition to be exercised. The list of persons who have been designated in the United Provinces under this rule is contained in Appendix B to the U. P. Local Rules and Orders (India No. 293-G. dated the 5th February 1929.)

40. **Applications for licence.** (1) Every person who wishes to obtain a licence under these rules shall apply in writing, through the medium of the post office or otherwise at his option, to the nearest authority empowered to grant such licence and shall in such application furnish all such particulars as may be necessary to enable such licence to be granted:

Provided that an application on behalf of a person subject to the provisions of the Indian Army Act, 1911, shall be made to the authority so empowered in respect of the place where such person permanently resides. Where, however, such person has his permanent home outside British India the application should be made through his commanding officer to the licensing officer of the district in which he is for the time being serving.

(2) Without prejudice to the generality of sub-rule (1) every person applying for a licence—

(a) for the import by land or river,

(b) for the export, or,

(c) for the transport,

of any arms, ammunition or military stores shall specify in his application—

(i) the place of destination,

(ii) the route,

(iii) the time likely to be occupied in the journey, and

(iv) the quantity, description and price of each kind of arms, ammunition or stores in respect of which the licence is required and the purpose for which they are intended.

(b) by the officer to whom application for the grant of such licence is made.

(4) Where the previous sanction is sought by the officer to whom application for the grant of the licence is made, he shall send a copy of the proposed licence to the authority whose previous sanction is required, and, on receipt of the reply of such authority, he shall either grant the licence or inform the applicant that his application is refused.

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(b) for the export, or,

(c) for the transport,

of any arms, ammunition or military stores shall specify in his application—

(i) the place of destination,

(ii) the route,

(iii) the time likely to be occupied in the journey, and

(iv) the quantity, description and price of each kind of arms, ammunition or stores in respect of which the licence is required and the purpose for which they are intended,

(3) Where the grant of the licence requires the previous sanction of some other authority specified in rule 39, the application shall state whether such previous sanction has been obtained and, if so, shall be supported by evidence thereof.

## NOTES.

Judicial, dated 23rd November 1914, which empower officers to receive applications for arms licences have not been cancelled by the issue of the Arms Act Rules of 1921. It is not compulsory that application for arms licences be made to officers in charge of police stations, nor is it incumbent on them to consult the police before granting or refusing a licence. It is sufficient to send an application through the officer in charge of a police station. (Madras No 263 J, dated 11th July 1921).

41. Form and language of licences. (1) Every licence shall be granted or renewed in the appropriate Form, and subject to the conditions set forth in such Form, and, save as therein otherwise

No. F-21-LXXXIII/30—In exercise of the powers conferred by section 17 of the Indian Arms Act, 1878 (XI of 1878), the Governor General in Council is pleased to direct that the following further amendments shall be made in the Indian Arms Rules, 1921, namely:—

(1) To sub-rule (1) of rule 42 of the said Rules the following proviso shall be added namely —

“Provided that where a licence is granted in Form XV, XVI, XVIII or XIX for the possession of arms to be acquired by the licensee subsequently to the grant of the licence, the authority granting the licence shall at the time of granting the same direct that within a period specified by him in this behalf, which he may from time to time extend, the arms covered by the licence shall be acquired and that the licensee or the arms or both shall be produced for his inspection, and if within the period so specified or extended the licensee fails to acquire the arms and to produce the licensee or the arms or both as the case may be the licence shall cease to be in force.”

(a) licences in Form XI or Form XII, may, where the Local Government so directs, be renewed by the Commissioner of the Division in which the licensee resides, or carries on business;

... (c) of rule 12 of the said rules, the following clause shall be substituted, namely :—

- “(c) The authority issuing a licence will ordinarily be responsible for watching all future renewals of the licence. Where a licence is renewed by an authority other than the authority who granted it, the former shall forthwith inform the latter of the fact of renewal and the period for which such renewal is valid. The applicant for the renewal of a licence under this proviso should, however, always be required to state his permanent residence, and, if he notifies a change in his permanent residence to the district in which the renewal is sought, the licensing authority of such district shall thenceforward become responsible for watching all future renewals of his licence and shall inform the original issuing authority accordingly. This procedure shall be repeated on each subsequent occasion of renewal of the licence, the necessary intimation being sent by the renewing authority to the original issuing authority or to the authority who last renewed the licence on a permanent change of residence, as the case may be.

NOTE.—In the case of a Government or Railway officer “permanent residence” means the place where he is actually posted on duty at the time of renewal of the licence.

**43. Discretion and control of authorities empowered to grant licences.** (1) Every authority empowered to grant or renew a licence or to give his previous sanction to such grant or renewal, may, in his discretion—

(a) refuse to grant or renew such licence or to give such sanction, or

(b) where the authority is subordinate to a Local Government, to such Local Government :

“In the Province of Madras, the Revenue shall be the immediate official District Magistrates of such appeals”.

in which such authority refuses to apply for such grant or renewal to the official superior of the authority so

shall exercise all powers and perform all duties, conferred or imposed by these rules, subject to the control of the executive authorities to whom he is subordinate.

**44. Obligation to produce licences.** (1) Any person who—

(a) holds a licence granted or renewed or a pass granted under these rules, or

(b) is acting under colour of such licence or pass,

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shall forthwith produce such licence or pass upon the demand of any Magistrate or of any Police officer of a rank not below that of officer in charge of a police-station.

(2) Nothing in sub-rule (1) shall be deemed to limit or otherwise affect the power of any authority empowered to grant or renew a licence to grant or renew it upon any condition, not inconsistent with that sub-rule, with respect to the production of such licence.

(45 **Production of arms** The authority by whom any licence has been granted under rule 31, rule 32, rule 33, rule 35 or rule 36 or by whom any such licence has been renewed under sub-rule (3) of rule 42, may, for the purpose of satisfying himself that any arms covered by such licence are still in the possession of the licencee, at any time while the licence is in force, by order in writing require the licensee to produce the arms at such time and place and for the inspection of such person as may be specified in the order. )

#### ^ NOTES

(1) N. L. R.—Suraj Prasad.—When receiving application for licences under the Arms Act 1878, a district Magistrate is not acting as a Criminal Court, that is judicially, but as an executive officer

(2) Should a licensee be unable to produce arms held under a licence, when called upon to do so under rule 45 he should be required to give an account of their disposal. Such cases should be dealt with by the Magistrate in person. Should the account not show the renewal of the licence either in whole or in part should be refused if the arms covered by the licence have been sold to any person other than the licensee or his family or on 27 of the Arms Act, and, that under section 5 of the Act, the licensee should be liable to a fine of not more than £100 and under section 10 of the Act, the licensee should be liable to a fine of not more than £100 and to imprisonment for not more than 6 months.

the licensee is liable to prosecution under  
of his licence requiring information to be given to  
theft of the arms (Bengal R and Q para 68,) vide also note (v),  
88, ante-

### Fees

(46 **Fees payable for licences** (1) Every licence granted or renewed under these rules shall, save as herein otherwise expressly provided, be chargeable with the fee (if any) indicated in the Form in which it is granted or renewed }

(2) When any arms, other than—

(a) cannon, or

(b) rifles, revolvers or pistols in respect of which the prohibition imposed by rule 7 applies.

or any ammunition or military stores are imported under a licence into any British port and re-exported thence and re imported into any of the ports specified in rule 8 or in rule 9, the necessary licences for such re-export under rule 15 and for such re-import under rule 8 or rule 9 shall be respectively chargeable with a fee of one rupee only.

(3) The Governor-General in Council may, by general or special order, grant exemption from, or reduction of, the fee payable in respect of any licence.

(4) The Local Government may, by general or special order, remit or reduce the fee payable in respect of the grant or renewal of any licence—

(a) for the import, transport or possession of sulphur in reasonable quantities proved to the satisfaction of the Local Government to be required in good faith for medicinal, agricultural, manufacturing or industrial purposes other than the manufacture of ammunition; or

(b) granted under rule 10 to any person for the import of any arms, ammunition or military stores in reasonable quantities proved to the satisfaction of the authority granting the licence to be required in good faith for the protection of person or property.

(5) Any Political Officer authorised under rule 17 to grant licences in Form VI may remit the fee payable in respect of the grant or renewal of any such licence in the case of arms and ammunition exported for personal use, or in the case of ammunition exported for the use for blasting purposes, whether on a public work or not, of the Government of the State for which he is the Political Officer.

(6) The fee payable in respect of the grant or renewal of any licence in Form VI shall be remitted in the case of all licences in that Form granted under rule 17 by the Commissioner of Police in Madras or Bombay, the Deputy Commissioner of Police in Calcutta, or by the District Magistrate of Delhi, Meerut, Lahore, Rawalpindi, or Karachi.

(7) The fee payable in respect of a licence in Form VI granted under rule 17 by the District Magistrate of Malabar for export to Mahe shall be reduced to one rupee in every case in which the value of the consignment does not exceed twenty rupees.

(8) No fee shall be chargeable in respect of the grant or renewal of any licence in form XVI to any member of any of the classes of persons specified in the first column of schedule VII for possession of and going armed with the arms and ammunition specified in the corresponding entry in the second column thereof. Provided that if application for renewal is not made within one month of the date on which the licence expires, the licensing authority may, in his discretion, levy renewal fees at the rate specified in Form XVI.

(9) No fee shall be chargeable in respect of the endorsement under sub-rule (4) of rule 33 of a licence granted in Pondicherry.

#### NOTES.

(1) Under rule 41 (3) [now rule 46 (3)], the fee for licences to re-import shall be remitted in cases where arms and ammunition, which have been sent out of British India on approval to persons lawfully entitled to possess them, are re-imported into British India within a period of two months from the date of export. (India No. 808, dated the 6th May 1920 and para. 17, Bengal R. and O).

(2) Under rule 41 (3) [now rule 46 (3)], no fee shall be charged in respect of the grant or renewal of a licence in form VI for the export to a State in India of ammunition required for the use of a public railway or the public work. (India No. 810, dated the 6th May 1920 and Bengal R. and O. para. 18).

(3) Under rule 39 (4) is pleased to remit the fee for the import, transport or purchase of sulphur for medicinal, agricultural or the manufacture of ammunition and the District Magistrate, as to the bona fides of purpose for which the sulphur is required to be imported, transported or possessed. (Bengal Notn. No. 3742 P., dated the 21st April 1913, and R. and O., para. 31.)

(4) The prescribed fee of Rs. 100 and R. and O., para 30).

In rule 48 of the said Rules, for the words "by means of non-judicial stamps or in cash at the option of the applicant" the words "in cash" shall be substituted.

F. H. PUCKLE,

Secy. to the Govt. of India.

to, ~~Collection and refund of fees.~~ (1) All fees payable under non-judicial stamps or (ii) In the marginal note to rule 48 of the said Rules the words "and refund" shall be omitted. payable under these rules may be refused and the application for the grant or renewal of a licence or duplicate is refused, the value of the fee shall be refunded upon application for the same being made within two months from the date of such refusal.

#### NOTES.

(1) in cash as be refused magistrat

detailed in article 500 of the Civil Account Bengal R. and O., para 28)

#### Cancellation and Savings.

49. Cancellation of the Indian Arms Rules, 1920. The Indian Arms, Rules, 1920, are hereby cancelled:

Provided that all exemptions, exclusions and withdrawals made, all licences or duplicates granted or renewed, all fees imposed, levied, remitted or reduced, and all powers conferred, by or under those rules shall, so far as they are consistent with these rules, be deemed to have been respectively made, granted, renewed imposed, levied, remitted, reduced, or conferred hereunder.

## SCHEDULE I.—PERSONS EXEMPTED.—(See rule 3).

The persons or classes of persons specified or described in the first column of the sub-joined table are, subject to the provisions of provisos (b) and (c) to rule 3, exempted, in respect of the arms and ammunition described in the second column, when carried or possessed (save where otherwise expressly stated) for their own personal use, from such prohibitions and directions contained in the Act as are indicated in the fourth column, subject to the provisos and restrictions entered in the third column.

THE TABLE.

Persons or classes of persons.	Arms and ammunition.	Provisions and restrictions.	Prohibitions and directions
<p>(1) (a) The Viceroy and Governor-General of India, the Commander-in-Chief in India, the Governors of Madras, Bombay, Bengal, the United Provinces of Agra and Oudh, the Punjab, Burma, Bihar and Orissa, the Central Provinces and Assam, the Chief Commissioner of Delhi, the Commissioner in Sind, Privy Councillors, members of the Council of India when visiting India during their term of office, members of the Executive Councils of the Governor-General and Governors, Ministers in Governors' Provinces and Members of the Indian Legislature, during their tenure of office and for six months thereafter. Residents of the First Class, Chief Justices and Puisne Judges of High Courts, Judges of Chief Courts, Judicial and Additional Judicial Commissioners, members of Boards of Revenue, Financial Commissioners;</p>	<p>All except—            (a) cannon;            (b) articles designed for torpedo service;            (c) war-rockets;            (d) rifles of '303 or '450 bore and pistols or revolvers of '441, '455 or any intermediate bore (and ammunition which can be fired from the same, not lawfully imported into British India;            (e) machinery for the manufacture of arms or ammunition; and            (f) appliances the object of which is the silencing of firearms.</p>	<p><i>vide slip.</i></p>	<p>Those contained in sections 13 to 15</p>
<p>(b) Every Ruling Prince or Chief having a salute of guns.</p>			
<p>(2) (a) Every Ruling Chief not having a salute of guns;</p>	<p>Ditto.</p>	<p>This exemption shall be subject to such conditions (if any) as may be prescribed by the local Government or the Political Officer,</p>	<p>Ditto.</p>
<p>(b) such members of the families of Ruling Princes or Chiefs and such nobles, officials, or accredited agents of a State in India as may be designated by the Local Government or Political Officer concerned.</p>			



P (16) In the Table set forth in Schedule I to the said Rules—	and ons	Prohibi- tions and directions
(i) in the first column, in clause (a) of entry (1)—	may be, where	
(a) for the words "Madras, Bombay, Bengal, the United Provinces of Agra and Oudh, the Punjab, Burma, Bihar and Orissa, the Central Provinces, and Assam" the word "Provinces" shall be substituted,	be of a re dis th the a fresh a occa	
(b) the words "the Commissioner in Sind" shall be omitted,		
(c) for the words "Members of the Council of India" the words "Advisers to the Secretary of State for India" shall be substituted,		
(d) for the words "Members of the Execu- tive Council"		
at Judicial Commissioners" the words and figures "the Chief Justice and Judges of the Federal Court, Chief Justices Judges and temporary and Additional Judges of the courts deemed to be High Courts under Section 219 of the Government of India Act, 1935" shall be substituted,	Coun-  overn- t of ad it its  be such or	
(ii) in the first column, in entry (2)—		
(a) in clause (b) the words "local Govern- ment or" shall be omitted,		Ditto.
(b) for sub clauses (i) and (ii) of clause (c) the words "the Central Govern- ment" shall be substituted,	mu- l or any	Ditto
(c) in the third column, in entry (2) the words "the local Government or" and "as the case may be" shall be omitted,	ex- res- ling Pro oorg ceed 100	
(iii) in the third column, in entry (3) for "the Governor General in Council, or		
† T to K So (b) a local Government in respect of the territories administered by it or subject to its control, may declare to be reasonable for such person	cease to exer nber 1920	

# HOME DEPARTMENT.

## NOTIFICATION.

### POLICE.

Simla, the 25th August 1932,

S. [SCHEDULE I.]

No. F. 21|XXXV|32.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Governor General in Council is pleased to direct that the following further amendment shall be made in the Indian Arms Rules, 1924, namely :—

In the first column of Schedule I to the said Rules in sub-clause (a) of entry (6), after the words "the Prince of Arcot" the words "Raja Sir Annamalai Chettiar of Chettinad and his successors from time to time in the title of Raja" shall be inserted,

retainers, namely :—

- a) the ancient Zamindars and Poligars of the Madras Presidency : every Malikana holder in the Malabar District : the Prince of Arcot ; M. R. Ry. A. L. A. R. R. M. Arunachalam Chettiar Avargal, Zamindar of Devakottai in the Ramnad district ; the

Vellayan

## NOTIFICATION.

### POLICE.

Simla, the 13th July 1932.

No. F. 21|XXVII|32.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), the Governor General in Council is pleased to direct that the following further amendment shall be made in the Indian Arms Rules, 1924, namely :—

In the first column of Schedule I to the said Rules in sub-clause (b) of entry (6) for the words "and Jagirdars and Zamindars in Sind" the words "such Jagirdars and Zamindars in Sind, and such of the Mewasi Chieftains in the West Khandesh District of the Bombay Presidency" shall be substituted.

- e) Shan Sawbwas and other Chiefs in Burma ;  
f) (i) the Zamindars of the Scheduled Districts of the Central Provinces ;  
ii) the Dewan of Seoni ;  
iii) the Bhuskute of Timarni and Burhanpur ;  
iv) the senior representative of the family of the Rao of Saugor ;  
v) the head of the junior branch of the Bhonsla family, known as the Kuar Sahib ;

Provisos and restrictions.	Prohibitions and directions
----------------------------	-----------------------------

is of ammuni-  
or the same  
ne smooth-  
breach or  
e-loading gun  
100 cartridges  
e equivalent  
den-shot and  
powder.

Exemption shall be subject to—

(a) the orders of the Local Government regarding the persons to be included in this category, the number of retainers and the quantity and description of arms ammunition to be permitted in case, the purs for which arms may be ied, and the annual registration of the re-ers' weapons mpted, the ber and des- tion only being ified.

Ditto.

† See Notn. No. 1310, dated the 8th June 1906, relating to a Zamindar of Sartur in the Madura district.



Persons or classes of persons.	Arms and ammunition.	Provisos and restrictions.	Prohibitions and directions.
		<p>4. The owner shall at the time of importation, produce a certificate from the Commanding Officer of the Corps, senior officer or Head of Department to which he belongs, to the effect that, in the case of the regimental officers, warrant-officers, non-commissioned officers, and persons appointed to Corps of the Auxiliary Force, India, or of the Indian Territorial Force, the weapon will be brought on to the equipment ledger of the Corps, and in the case of Staff and Departmental officers, will be brought on to the equipment ledger of a Corps, in the officer's command or office inventory of stores, and will be accounted for in the same manner as other equipment.</p> <p>5. This exemption shall in the case of persons appointed to a Corps of the Auxiliary Force, India, or of the Indian Territorial Force, cease to have effect on removal of the owner from the force.</p> <p>6. Any person hereby exempted may dispose of his rifle to another person so exempted: Provided that the rifle becomes part of the equipment of the Corps to which</p>	

Persons or classes of persons	Arms and ammunition.	Provisos and restrictions	Prohibitions and directions
<p>8 (9) The Officer Commanding a Unit in His Majesty's Regular Forces or in any Indian State Forces, and when he is in possession of the same.</p>	<p>Such arms and ammunition as are provided for sporting purposes by Government or from a regimental fund under the authority of the officer commanding the unit.</p>	<p>the latter belongs and is accounted for as such</p> <p>This exemption shall apply in the case of warrant officers, non commissioned officers and soldiers in respect of weapons and ammunition entered in the pass and to the areas and for the dates specified in the pass and in the case of officers commanding only in respect of the purchase and stocking of arms and ammunition which are provided for sporting purposes by Government or from a regimental fund</p>	<p>Those contained in sections 13 to 15</p>
<p>1 (10) Persons holding swords or other arms as have been received, together with ammunition for any fire arms so received</p> <p>the Commander in Chief</p>	<p>Such swords or other arms as have been received, together with ammunition for any fire arms so received</p>	<p>The ammunition in respect of which any person is hereinafter exempted shall be of such description only and shall not exceed such quantities as—</p> <p>(a) the Governor-General in Council, or</p> <p>(b) a local Govt. in respect of the territories administered by it or subject to its control, may direct</p>	<p>All</p>

## NOTES

(1) *Vide* notes to Section (1) of the Act, on pages 39-40 *ante*, and to Rule 3 on page 88-89 *ante*

20th Aug. 1920.)

Officer, Warrant Officer, Non-commissioned officers for the time being serving the operation of the prohibitions of the Act (India No. 1582 dated the

(3) Persons who were enrolled under section 12 of the Indian Defence Force Act, 1917 (III of 1917) and appointed to the University Corps of the Indian Defence Force and who have signified in writing to the officer who was commanding that corps their intention of applying for enrolment in a University Corps of the Indian Territorial Force, are exempted in respect of arms carried for the purpose of military instruction under the orders of the said officer. (India No. 2488 dated the 17th December 1920.)

(4) Entry No. 10 covers the case of persons holding swords or other arms presented by Commissioners or other Government Officers under the general or special orders of the local Government (India No. 329 dated the 21st Feb. 1920.)

(5) The following are a few of the special exemption under the Arms Act :—

MADRAS—(a) Guns brought to British India by the European Residents of the French Settlements of Pondichery, Karikal or Mahe are exempt from import duty provided that the guns are covered by a pass issued under the authority of the Government of the settlement from which they are brought, and countersigned by a British Magistracy certifying that the holders are entitled to carry the guns for sporting purpose. (G. I. Notn. in Boards Progs. No. 267, dated the 21st June 1893.) (Note—Ammunition belonging to French sportsmen which, in the opinion of the Sayer staff, is being taken in unreasonable quantities should be brought to the notice of the Collector.) (b) The provision of chapter IV of the Indian Arms Act, XI of 1878, cannot, as a matter of courtesy, be enforced to the case of the French Military and Police Officers, when passing the Tindivanam, Villupuram, and Cuddalore taluks, nor customs duty be demanded at the Sayer stations in respect of arms which such Officers are entitled to carry in French Territory. (G. O. No. 175, dated the 25th Jan. 1895).—(c) French native subjects are for the purposes of sports or protection, allowed to carry with them across the frontier, guns on payment of import duty, when holding gun licences granted by the District Magistrate concerned. Such duty is liable to be refunded under G. O. No. 2553, dated the 16th Dec. 1891, on a report from the French Government that the gun on which import duty was paid has been re-exported. (Madras L. R. and O.).

(6) -BOMBAY.—As a special case the provisions of chapter IV of the Arms Act, should not, as a matter of courtesy, be enforced in the case of—(a) Non-European Civil Officials serving under the Government of Portuguese India who are entitled to wear a uniform and sword; and (b) Military Officers of that Government when travelling through districts through which the ordinary routes by land or sea from Goa to Daman pass. All Portuguese Officers (Military and Civil) passing through British territory are, on their giving a simple declaration that they are proceeding to Portuguese territory, are allowed to transport their firearms without let or hindrance (Bombay No. 6674 dated the 8th Oct, 1909). A similar concession has been made by the Government, Portuguese India, to British Officers passing through Goa territory on their way to British territory. (No. 6674 dated the 8th Oct., 1909).

(7) In exercise of the powers conferred by proviso (b) to rule 3 (1) of the Indian Arms Rules, 1924, and in supersession of [Bombay] Govt. Notn. No. 7226, dated the 2nd August 1920, the Governor in Council is pleased to direct that :—

(a) All persons exempted from any of the provisions of the Arms Act, XI of 1878, under Schedule I to the said rules, shall, in the case of persons already in possession of fire-arms or ammunition for the same, within two months of the date of publication of this notification in the *Bombay Government Gazette*, and in the case of other persons, within one month of the date on which any fire-arm or ammunition for the same comes into their possession, register such fire-arm or ammunition with the authority hereinafter mentioned stating in writing the particulars specified in the sub-joined table. Such registration shall, in the case of persons residing in the City of Bombay, be made with the Commissioner of Police, Bombay, and in the case of persons residing elsewhere, with the District Magistrate of the district in which they reside. (b) The Commissioner of Police, Bombay, and all District Magistrates shall maintain in the subjoined form a register of all fire-arms and ammunition for the same registered under the notification.

## FORM OF REGISTRATION

Name of exempted person	Grounds of exemption	Description of firearms and ammunition	Makers name and number

(Notn No 184 Poll dated the 17th March 1924)

(8) exempted of Schedu  
 Pratapsinhrao alias Bhausahab Bhonsle  
 Sardars of the First Class in Black Ink  
 (Notn No 721 Poll dated the 12th April 1922)

possessed by persons  
 1878 under entry 6 (h)

(9) Under the provisions of entries (3) (4) and (6) in the table to Schedule I the Govt of Bombay have declared that the persons or classes of persons specified or described in the third column of the table hereto appended shall in respect of the arms which they can carry or possess within the limits of the Bombay Presidency in virtue of any exemption granted under rule 3 of the said Rules and the said Schedule be subject to the restrictions specified in the fourth column (Notn No 1233 Poll dated the 20th July 1923)

Serial No	Entry in the table sub joined to Schedule I of the Indian Arms Rules	Persons or classes of persons exempted	Quantity of arms or ammunition to which exemption is restricted
1	2	3	4
1	(3)	Maharajas Rajas or Nawabs whose titles have been conferred or recognised by Government all Peere Baronets Knight Bachelors and Knights of any Order established by the Crown	Arms— 3 shot guns 3 rifles 1 revolver or pistol No limit as regards arms other than firearms Ammunition— 200 rounds for each rifle at a time 100 rounds for revolver or pistol at a time No limit as regards ammunition for shot guns
2	(4)	Every Consul or Consular Agent	Do
3	6 (b)	(i) First Class Sardars of the Deccan and Southern Maratha Country States and First Class Sardars of Gujarat  (ii) Six retainers of each of such Sardars	Do and also old family weapons not otherwise exempted under the rules of which a list must be furnished to the District Magistrate who will supply a copy to the Sardar under his signature  Arms— One firearm and one other weapon of each retainer Ammunition— 100 rounds for each firearm at a time

(Notn No 1233 Poll dated the 20th July 1925)

(10) Under the provisions of entry (6) in the table appended to Schedule I. of the I. A. R. 1920, the Government of Bombay, have declared that the restrictions imposed by Notn. No. 7227, Serial No. 3 (1) dated the 2nd Aug. 1920, on the quantity of arms or ammunition which may be possessed by First Class Sardars of the Deccan and the Southern Maratha Country States in virtue of the exemption granted to them by said entry, shall not apply to the arms and ammunition possessed by Meherban Pratapsinhrao alias Bhausahab Bhonsle of Satara, enrolled in the list of Deccan Sardars of the First Class in Black Ink, with judicial as well as honorary privileges. (Bombay Notn. No. 722. Poll. dated the 12th April 1922).

(11) Under the provisions of entry 6 (b) in the table contained in Schedule I, of the I. A. R., 1920, Government of Bombay, have declared that the members of the Talpur family and the Jagirdars and Zamindars in Sind mentioned in the first column of Schedule A, hereto appended, shall be exempt from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act, 1878 (XI of 1878), subject to the restrictions specified in the second column of the said Schedules:—

## SCHEDULE A.

Names of persons exempted.  1	Quantity of arms or ammunition to which exemption is restricted.  2
<p><i>Members of the Talpur Family.</i></p> <p>(1) H. H. Mir Haji Nur Mahomed Khan <i>walad</i> Mir Mahomed Hussainali Khan.  (2) Mir Sohrab Khan <i>walad</i> Mir Rustom Khan.  (3) Mir Mir Mahomed Khan <i>walad</i> Mir Ghulam Hyder Khan.  (4) Mir Fatehali Khan <i>walad</i> Mir Ali Hussein Khan.  (5) Mir Ghulam Murtaza Khan <i>walad</i> Mir Shah Mahomed Khan.  (6) Mir Mehrab Khan <i>walad</i> H. H. Mir Ali Mardan Khan.  (7) H. H. Mir Haji Fateh Khan <i>walad</i> H. H. Mir Haji Sher Mahomed Khan.</p>	<p>Arms—  3 shot guns.  3 rifles.  1 revolver or pistol.  No limit as regards arms other than firearms.  Ammunition—  200 rounds for each rifle at a time—  100 rounds for revolver or pistol at a time.</p>
<p><i>Jagirdars and Zamindars</i></p> <p>(8) Jam Bijar Khan <i>walad</i> Maherali Khan.  (9) Nawab Ghulam Hyder Khan <i>walad</i> Nawab Wali Mahomed Khan, Laghari.  (10) Nawab Fateh Mahamed Khan <i>walad</i> Nawab Mahomed Khan, Laghari.  (11) Pir Sabghatulla Shah <i>walad</i> Shams-ul-Ulma Pir Shah Marden Shah, Kingri.  (12) Pir Sayed Mahomed Saleh Shah <i>walad</i> Pir Ghulam Mahyaddin Shah Gilani, Ranipur.  (13) Khan Bahadur Sardar Sunder Khan <i>walad</i> Ali Nurad Khan Sundrani.  (14) Khan Bahadur Saiyid Khan <i>walad</i> Jaffar Khan Rind.  (15) Sardar Bahawal Khan <i>walad</i> Gholam Ali Khan, Jakhani.  (16) Malik Sardar Khan <i>walad</i> Malik Sobdar Khan, Numrio.</p>	<p>No limit as regards ammunition for shot guns and also old family weapons not otherwise exempted under the rules of which a list must be furnished to the District Magistrate who will supply a copy to the exemptee under his signature.</p>



(12) Under the provisions of clause (14) of the Indian Arms Rules 1909 [now included in entry (3) (b) of Schedule I of the Indian Arms Rules 1924] the Government of Bombay have published the following list of persons exempted (Notn No 2185 dated the 4th April 1917)

## PALANPUR AGENCY

*Palanpur State*

- 1 Sahibzadah Yaverhusaikhanji, second son of H. H. the Nawab of Palanpur
- 2 Kunvar Jabardastkhanji, nephew of H. H. the Nawab of Palanpur

*Radhanpur State*

- 1
- 2 " " " "
- 3 " " " "

*Tharad State*

- 1 Kunwar Bhimsingji Dolatsingji, heir apparent of Tharad
- 2 Thakore Pradipji Gajsingji of Bharole

*Won State*

- 1 Kumar Harisingji, heir apparent of Wan

*Thana Circles*

- 1 of Warahi
- 2
- 3

## MAHIKANTHA AGENCY

*Idar*

- 1 Maharaj Kumar Himat Sing
- 2 Bhanvar Mansing
- 3 Maharaj Kumar Madansingji

## BHAYATS

- 1 Maharaja of Suar
- 2 Maharaja of Dawad

## SARDARS

- 1 Mundet
- 2 Kukadia
- 3 Medhasan
- 4 Man
- 5 Undani
- 6 Ganthiol
- 7 Chandarni
- 8 Tintol
- 9 Vankaner
- 10 Sabalvad

## BHUMIAS

- 1 Ghorwada
- 2 Poshina
- 3 Kheroj
- 4 Deroj
- 5 Pal
- 6 Pahala and Takatuka
- 7 Budheli
- 8 Verabar
- 9 Devni Mori
- 10 Samera
- 11 Karcha
- 12 Debgamda
- 13 Jalia
- 14 Vandiol
- 15 Venpur
- 16 Moti Mori

## INAMDAR

Jamadar of Bhadresar

*Pol State*

- 1 Thakore Kesarsingji
- 2 Khumansing Vugha
- 3 Thakore of Nolasoo
- 3 Saluji Takuji

*Danta State*

- 2 Kumar Dalpatsingji
- 3 Kumar Fatehsingji
- 5 Thakore Daynasingji of Joita
- 6 Kaluji Sabal
- 7 Nahrisingji Rajsingji

*Malpur Taluka*

- 1 Kishorsingji, uncle of Rawaji
- 2 Thakore Humatsingji

*Mohanpur Taluka*

- 1 Thakhatsingji Kalusingji
- 2 Nathsingji Rajsingji

*Ilol Taluk*

- 1 Bhayat Ram Sing
- 2 Bhayat Hamir Sing
- 3 Bhayat Takhat Sing
- 4 Panaji Manaji
- 5 Bhayat Agarsingji Mntisingji

*Katosan Taluka*

- 1 Kumar Becharsingji
- 2 Kumar Nabarsingji
- 3 Kumar Surajmalji

*Warsoda Taluka*

- 1 Kumar Javao Singji
- 2 Bhayat Madhusingji
- 3 Bhayat Hamir Singji
- 4 Bhayat Bhavansingji
- 5 Bhagat Takhat singji

*Pethapur Taluka.*

Bhayat Dolatsingji.

*Panadra Taluka.*

1. Kallumia Jitnia.

*Amliara Taluka.*

1. Bhayat Javansingji. 2. Bhayat Vajesingji. 3. Kumar Takhatsingji.

SURAT AGENCY.

*Dharampur State.*

1. The Dewan of Dharampur. 2. Bhai Shri Prabhatdevji Narandevji. 3. Kumar Shri Nursinghdevji Mohandevji, second son of the Raja of Dharampur.

*Bansda State.*

1. The Dewan of Bansda. 2. Kumar Shri Pravinsingji, brother of the Raja of Bansda.

*Sachin State.*

1. Nawabzada Ahmed Khan, brother of the Nawab of Sachin.

KAIRA AGENCY

*Cambay.*

1. Mirza Muhammed Kulikhan Saheb Nazamkhan Saheb.

REWA KANTHA AGENCY.

*Lunawada.*

1. Kumar Shri Ranjitsingji. 2. Kumar Rughunathsingji.

*Devghad Baria.*

1. Kumar Narsinhingji.

*Chhota Udepur.*1. Himatsingji Jitsingji. 2. Bhavansingji Jitsingji. 3. Raisingji Chandrasingji.  
4. Kumar Ranjitsingji Chandrasingji Mahida of Mandwa.*Rajpipla.*

1. Kumar Ramsingji. 2. Kumar Kiratsingji. 3. Kumar Narsinhingji. 4. Kumar Digvijaysingji. 5. Kumar Shri Prakramsingji.

*Balismor.*

1. Khan Shri Mohbatkhanji Badarkhanji, Bhayat.

*Sankheda Mewas.*

1. Thakore Wakhsingji Khusalbava of Sanor.

*Pandu Mewas.*

1. Kumar Indrasingji Chhatrasingji of Chhaliar. 2. Kumar Ranjitsingji Amarsingji of Bhadarwa.

KATHIAWAR AGENCY.

*Virpur State.*

1. Kumar Shri Ramsingji, third son of the Chief of Virpur.

JANJIRA STATE.

1. Sidi Hasan Sidi Sayad. 2. Sidi Muhammad Sidi Abdul Aziz Shekhani.

(13) In partial modification of Notn. No. 2185 dated the 4th April 1917 the Governor in Council [Bombay] is pleased to direct that the exemption granted to Bhayats Sardars, Bhumias and Inamdars mentioned in the notification by the names of their Estates shall be held to be personal to the present holders thereof. (Notn. No. 966 dated the 17th Dec. 1926.)

(14) BENGAL—Under the provisions in the third column of entries (3) and (6) (c) respectively, in the table subjoined to Schedule I to the Indian Arms Rules, 1920, the Govt. of Bengal, has exempted from the operation of the prohibitions and directions contained in sections 13, 14 and 15 of the Indian Arms Act, 1878 (XI of 1878), the classes of persons specified in the third column of the following table in



Indian Arms Act, 1878. Such person is hereinafter referred to as the exempted person. 2. Every exempted person shall fill up the form in duplicate according to the instructions at the top of each page. He shall return one copy to the Commissioner of Police or the District Magistrate as the case may be and shall retain the other copy for future reference. 3. Every exempted person shall report any permanent change of residence to the Commissioner of Police in Calcutta and to the District Magistrate outside Calcutta. 4. In January of each year the Commissioner of Police or the District Magistrate shall make an enquiry from all exempted persons whether they have any changes to report and shall request them to furnish full particulars of any new weapons possessed by them and to make the necessary changes in the copy of the enquiry form retained by them. 5. (1) In case of permanent change of residence of exempted persons the District Magistrate or Commissioner of Police, as the case may be, shall obtain from the proper authority in the district or town they have left the form relating to such person. (2) In the case of exempted persons arriving from another province, the Commissioner of Police or the District Magistrate, as the case may be, shall forward a form in duplicate to such persons to fill up.

*\*Form of enquiry for firearms possessed by exempted persons.*

#### NAME AND ADDRESS.

**Rifles.** The following particulars should be given for each weapon :—

- (a) Description and bore with maker's name and number on barrel, or stock, or both. (b) Whether muzzle or breech-loading. (c) Whether single or double barrel. (d) Whether single shot or magazine. (e) If repeating, the capacity of the magazine. (f) The name of the dealer or person from whom obtained, with approximate date.

**Smooth Bores.** The following particulars should be given for each weapon :—

- (a) Description and bore with maker, name and number on barrel, stock or both. (b) Whether muzzle or breech-loading. (c) Whether single or double barrel. (d) Whether single shot or magazine. (e) The name of the dealer or person from whom obtained, with approximate date.

**Revolvers.** The following particulars should be given for each weapon :—

- (a) Description and bore with maker's name and number, and all other marks stating the part of the weapon on which they are stamped. (b) Whether muzzle or breech-loading. (c) Number of chambers for cartridges. (d) The name of the dealer or person from whom obtained, with approximate date.

**Pistols.** The following particulars should be given for each weapon :—

- (a) Description and bore with maker's name and number stating the part of the weapon on which they are stamped. (b) Whether muzzle or breech-loading. (c) Whether single or double barrel. (d) Whether single shot or repeating. (e) If repeating, the capacity of the magazine. (f) The dealer or person from whom obtained, with approximate date. (Bengal Notn. No. 1560 P. J. dated the 1st April 1920 and R. and O., para. 36.)

(18) UNITED PROVINCES.—Exempted persons are required to register all firearms and ammunition in their possession, in the following form\* with the District Magistrate of the district in which they reside or, in the case of persons resident in the sub-division of Lalitpur, Roorkee, Deoria-Kasia, Karwi and Mahoba, with their Sub-Divisional Officers. [U. P. No. 3049-VIII-412, dated the 28th June 1924.] District Magistrate shall check annually the registers of exempted as well as licensed firearms and keep a note of the number and description of firearms in each category in the possession of the public. (U. P. No. 251 dated the 23rd March 1926.)

(i) A register shall be maintained by the District Magistrate of all registered firearms and ammunition in the same form.\* (ii) Exempted persons shall report to the District Magistrate any change in the number and description of firearms which they may possess. (iii) Ammunition will be registered once and for all at the initial registration; but the District Magistrate may at any time if he thinks fit call for a return of the quantity of ammunition in the possession of an exempted person. (iv) After the initial registration the District Magistrate shall enquire from all exempted persons in January of each year whether they have any change to report in the weapons previously registered by them and shall request them to furnish full parti-

culars of such changes. This does not however relieve exempted persons of the obligation under rule (u) above to report such changes as they occur (v) An exempted person shall notify to the District Magistrate concerned any permanent change of residence and shall also forward particulars of the firearms and ammunition possessed by him to the District Magistrate of the district in which his new place of residence is situated [U P No 3056 VIII 112 dated the 28th June 1924 and para 4 of Local Rules]

*\*Form (H) of registration of firearms and ammunition held by persons exempted under Schedule I India Arms Rules 1924*

Name of exempted person	Entry of Schedule I under which exempted	Description of firearms (including barrel muzzle or breech loading and single shot or repeating)	Makers name and number	Ammunition

(19) Arms carried or possessed by Officers of Government as part of their equipment and arms supplied by Government to subordinates of Government departments to be carried or possessed by them for their protection in the execution of their duty are not required to be licensed. Under cl (b) of section I of the Act nothing in the Act or Rules applies to the bearing or possession of such arms by such persons [India No 1246 dated the 16th Oct 1919 No 1171 dated the 17th May 1921 and para 5 of Local Rules]

such weapons [U P 3808/VI 844 1916 dated the 19th July 1920] (h) As firearms do not form part of the prescribed equipment of forest rangers these officers are required to take out licences for such weapons [Cf paragraph 60 of United Provinces Forest Manual]

(20) For the purposes of exemption under clause (6) (g) of Schedule I it has been decided—

(a) That Taluqdar of Oudh shall mean every person whose name is included in the list of taluqdars maintained by the British India Association, Oudh and (b) Zamindars who possess the following qualifications are declared to be included in entry 6 (g) of Schedule I, namely landholders who—

(i) pay a land revenue of not less than Rs 10,000 or would so pay if they were not wholly or in part revenue free and (ii) are borne on the divisional Darbar lists and whose fathers or immediate predecessors in interest were also so borne

[(u) U P No 3049/VI—844 1916 dated the 9th June 1920] and (b) No 1302/VIII—182 dated the 7th April 1924 and para 6 of Local Rules] NOTE—Landholders claiming exemption under clause 6 (b) must fulfil both qualifications (i) and (ii)

(21) Clause (10) of Schedule I covers the case of persons holding swords or arms presented by Royalty and by Commissioners or other Government officers under the general or special orders of the Local Government [India No 1301 dated the 9th July 1920 and para 7 of Local Rules]

(22) . . . . . (committees in the United the Arm Orders . . . . . Schedule I to al Rules and ge in Form XVI in respect of the arms and ammunition which are entered against each of their names District Magistrates should report to Government through Commissioners any change in the list as they occur [U P No 1573 VII—406 dated the 27th June 1922 No 3045 VIII—418 dated the 28th June 1924, respectively and para 8 of Local Rules]

(23) For the purposes of exemption under clause 3, 6 (g) and 10 of Schedule I Government has been pleased with reference to column 3 of the Schedule, in the case of firearms and ammunition for firearms to restrict the exemption conferred by the aforesaid schedule on the classes of persons specified in the third column of the table annexed to the number and description of firearms and the amount of ammunition described in the fourth column when carried or possessed for their personal use in the United Provinces.

TABLE.

Serial No.	Entries in Schedule I to the Indian Arms Rules, 1924,	Classes of persons exempted	Quantity of arms or ammunition to which exemption is restricted.
1	2	3	4
1	3	Every Maharaja, Raja or Nawab whose title has been conferred or recognised by Government, every Peer, Baronet, Knight Bachelor and Knight of any Order established by the Crown.	(i) Existing exemptees.—No restrictions. (ii) Future exemptees :— (a) If hereditary title-holders, the number and description of arms and the amount of ammunition laid down in each case by special order. (b) Others—One revolver or pistol with 50 cartridges, three rifles with 100 cartridges each and three shot guns with 1,000 cartridges and 250 caps with 2 seers of black powder, if the guns include muzzle-loading weapon.
2	6 (g)	The Taluqdars of Oudh, Rao, Udaibir Singh of Gopalpura, Jalaun, Raja Bahadur Bijai Bahadur Singh of Katehra and such other zamindars of the United Provinces as the local Government may designate in this behalf.	(i) Existing exemptees whose exemption has not been registered by special order.—No restriction as regards arms and ammunition for personal use or the number of retainers. (ii) Others (including future exemptees).—The number and description of arms, the amount of ammunition and the number of retainers laid down in each case by special order. <i>For each retainer.</i> —One smooth-bore muzzle-loading gun, 50 caps, $\frac{1}{2}$ seer of black powder.
3	10	Persons holding swords or other arms received by them as gifts from the Governor-General in Council or by the local Government after the 1st January 1920, or the Commander-in-Chief.	The ammunition ordinarily allowed to a licensee.

(24) Exempted persons possessing or intending to purchase firearms in excess of the scale prescribed in rule 9 (Note 23, page 136) must take out licences for such weapons [U P. Note No. 2276 VIII—418, dated the 20th Sep 1921 and para 10 of Local Rules]

(25) Retainers' arms are subject to annual registration under clause (b) of third column opposite to clause 6 of Schedule I, the number and description of weapons only being specified [U P No 2272 VIII—418, dated the 20th September 1921 and para 11 of Local Rules]

... .. construed as  
... .. addition to  
... .. Governor for  
Benares Rampur and Tehri are authorised under this clause to fix the number of armed retainers who may accompany respectively, their Highnesses the Maharaja of Benares, the Nawab of Rampur and the Raja of Tehri, when visiting British India (iii) The lists of other persons and their retainers, who have been designated under clause 2 (b) and (c), are given in appendix B to the [U P] Local Rules (iv) Seventy-five sepoy of the Bharatpur State who have been employed for the protection of immovable property owned by the State in the United Provinces should also be considered as exempted under this clause. They are allowed 15 guns between them [India No 812 dated the 16th June, 1913 and para 2 of Local Rules] (v) The U P Govt has also designated the Wahawatdars (in virtue of their office) of the Gwalior Darbar Swanthans at Brindaban, Benares, and Allahabad for exemption under clause 2 (b) in respect of the following firearms—

(1) Brindaban Temple, district Muttra	Six muzzle loading guns
(2) Benares Trishah: Annapurna Chattra	Six , , ,
(3) Allahabad Swansthan	Three , , ,

[Added by U P, G O No 3170 VIII-182 dated the 20th June 1925]

(27) Armed guards from Indian States travelling through British India in charge of treasure are exempted from the Arms Act under clause 2 (d) of Schedule I, to the Arms Rules. Government has however power to impose conditions to this exemption. [U P No 1983 VI—708 D, dated the 14th July, 1904 and para 13 of Local Rules]

(28) (i) In order to prevent needless annoyance to exempted persons every district officer should maintain a correct list of all such persons in his district, and this list should be hung up in  
be the duty of all police officers to

district [U P. No 448, dated the 16th April, 1881, No 982 VI—660 D 2 dated the 8th April, 1907 and para 14 of Local Rules]

(29) (i) In order to obviate the difficulty which certain persons who are exempt from the operation of the Arms Act, find in obtaining arms and ammunition from dealers who do not know whether they are exempt or not certificate of exemption should be issued by licensing authorities to any exempted person who applies for such a certificate [U P No 149 VIII—243, dated the 20th Jan 1923 and para 15 of the Local Rules] (ii) In order to avoid the possibility of annoyance or delay if the possession of arms is challenged, a similar certificate may be given to exempted persons who wish to proceed with arms outside the area in which they are known

(30) District Magistrate should report, through the Commissioner, for the orders of Government, any case in which an exempted person either makes or permits improper use of his weapons, or persists in ignoring ordinary precaution for their safe custody, or by his general behaviour proves himself unworthy of the privilege of exemption [Para 16 of U P Local Rules]

(31) Para 17 the [U P] Local Rules—Vide notes relating to air guns, in Schedule II

(32) Firearms captured from enemies and kept as trophies by a regiment or military mess should be rendered unfit to fire. [India No. 878, dated the 28th May, 1920 and para. 18 of U. P. Local Rules].

(33) CENTRAL PROVINCES.—Under the provisions in the third column of entries (3) and (10) respectively in the Table appended to Schedule I to the Indian Arms Rules, 1924, the Govt. of the C. P. has declared that the arms and ammunition specified or described in those entries which exemptees may carry or possess for their personal use within the limits of the Central Provinces shall not exceed the scales specified in the table below :—

Number of items.	Paragraphs in Schedule I to the Indian Arms Rules, 1924.	Classes of persons exempted.	Arms allowed.	Ammunition allowed to be in exemptee's possession at one time.
1	Paragraph (3)	Every Maharaja, Raja or Nawab, whose title has been conferred or recognized by Government; every Peer, Baronet, Knight Bachelor and Knight of any Order established by the Crown.	3 rifles D. B. or S.-B. 2 shot guns. 2 revolvers or pistols.	Per rifle, 200 rounds. Per revolver, 100 rounds.
2	Paragraph (10)	Persons holding swords or other arms received by them as gifts from the Governor General in Council or a Local Government or the Commander-in-Chief.	.....	100 rounds per rifle.

No limit of ammunition is fixed in the case of shot guns or '22 bore targe rifles. If any person proves that he needs ammunition in excess of the scale prescribed, he may be allowed a larger quantity. Notn. No. 18-90-VI. d. 7th January 1922, is hereby cancelled. (C. P. Notn. No. 429-465-VI. dated the 21st August 1924.)

NOTE.—Similar Rule has been made for Berar. (Notn. No. 430-465-VI dated the 21st August 1924.)

(34) Under the provisions in column 3 against entry (6) (f) of the table appended to Schedule I of the Indian Arms Rules, 1924, the Govt. of the C. P. has declared that the exemption of the undermentioned zamindars of the scheduled districts from the operation of all prohibitions and directions contained in sections 13, 14 and 15 of the Indian Arms Act, 1878, shall be restricted to the arms and ammunition specified in columns 3 and 4 of the table appended hereto and the number of retainers and the arms to be possessed by each retainer as specified in columns 5 and 6. Judl. Dept. Notns. Nos. 5069, dated the 30th June 1903, 5636 and 5637, dated 19th May 1904; and 445, dated the 22nd August 1906, are hereby cancelled. (Notn. No. 455-481-VI, dated the 28th August 1924.)



District.	Names of zamindari or jagirdari to which the zamindar or jagirdar belongs	Quantity of arms, ammunition and the number of retainers to which exemption is restricted					Number of guns to be possessed by each retainers.		
1	2	3					4	5	6
		ARMS					Ammunition.	Retainers	
		R L Rifles	R L Guns	N L Guns	Revolvers	Pis tols			
Raipur	Khariar	7	4			1		100	
	Bindranawagarh	4	4			1		75	
	Phulbar	4	4			1		30	
	Pingleshwar	4	4			1		30	
Bilaspur	Pandaria	4	4			1	Per rifle 200 rounds Per revolver 100 rounds No limit of ammunition for shot guns or 21 bore or target rifles	20	
	Pendra	4	4			1		30	
	Korba	4	4			1		20	
	Champa	4	4			1		10	
	Chhuri	4	4			1		10	
	Lapha	4	4			1		10	
	Khenda	4	4			1		10	
	Matin	4	4			1		10	
Drug	Uprota	4	4			1		10	1 gun each
	Sahaspur Lohara	4	4			1		40	
	Gandai	4	4			1		35	
	Gonderdehi	4	4			1		30	
	Dhondi Lohara	4	4			1		30	
	Thakurtola	4	4			1		25	
	Barbaspur	4	4			1		20	
	Siheti	4	4			1		20	
	Ambagarh Chouki	4	4	2	4	1		44	
	Korcha	2	2	15	1	1		16	
	Panghatas	2	2	25	1	1		44	
	Aundhi	2	2	10	1	1		6	
Chanda	Ahiri	4	1			1		6	
	Dhanora	2	2	15	1	1		20	
	Dudhmala	2	2	10	1	1		17	
	Cewardha	2	2	20	1	1		30	
	Jharapapra	2	2	15	2	1		16	
	Khutgaon	2	2	15	1	1		7	
	Kotgal	2	2	15	1	1		17	
	Murangaon	2	2	10	1	1		10	
	Palasguri	4	3	20	1	1		25	
	Rangi	2	2	15	1	1		17	
	Sirsundi	2	2	10	1	1		8	
	Sonsari	2	2	10	6	1		10	
	Chandala	2	2	10	1	1		7	
	Gikson	2	2	10	1	1		12	
	Muraoda	2	2	15	1	1		15	
Hoshangabad	Potegaon	2	2	10	1	1	15		
	Baruan Pagara		5				10		
Chhindwara	Chhatra		2				13		
	Partabgarh Harra		15				61*		
	Dhanara Sonpur		10				24		
	Gorpani		5				10		
	Bardhagarh		5				18		
	Almod		5				7		
	Pachmarhi		5				11		
	Gorakbhat		5				9		
	Batkarah		10				14		

NOTE.—Lists showing the names of retainers (including the jagirdars and members of the family) and the number and nature of the weapons covered by the exemption will be kept up in the District Office

\* The number 61 is to be reduced to 41 on the death of the Jagirdar—Thakur Mardanshah

(35) Under Rule 3 (1) (b) of the Indian Arms Rules, 1924, it is declared that all persons and classes of persons exempted under Schedule I of the said rules shall, for the purpose of registering the firearms in respect of which they are exempted from the operation of prohibitions and directions contained in sections 13, 14 and 15 of the Indian Arms Act, 1878 (XI of 1878), furnish the District Magistrate of the districts in which they reside, with the necessary particulars of each weapon in the following form :—

*Register of weapons.*—[NOTE.—A separate form should be filled in for each weapon.]

(1) Name of the person exempted and address ...	...
(2)• Class under which exempted ...	...
(3) Description of weapon exempted—	
(a) Whether a rifle, breech-loading pistol, revolver or gun ...	...
(b) Description and bore with maker's name and number and other marks, stating the part of the weapon on which they are stamped ...	...
(c) Whether single or double barrel ...	...
(d) Whether single shot or magazine and capacity of the magazine. If a revolver, number of chambers for cartridges ...	...
(e) The name of the dealer or person from whom obtained, with approximate date ...	...
(4) (a) Signature of person exempted ...	...
(b) Date ...	...

Judl. Dept. Notn. No. 152-2-O-1-V., dated the 23rd April 1920, is hereby cancelled (C. P. Notn. No. 457-484-VI., dated the 28th Aug. 1924.)



Area.	Arms, ammunition or military stores.	Prohibitions and directions.
<p>III. In Schedule II to the said R entries in the second and third column the entry "2. British India" the following shall be added, namely:—</p>	<p>Provided that in making and estimating the test the following conditions shall be observed, namely:—</p> <p>(1) the gun or pistol shall be held horizontally with the muzzle at a distance of five feet from the target.</p> <p>(2) the test shall be repeated twenty times for each class of projectile which can be discharged from the gun or pistol, and</p> <p>(3) perforation shall be deemed to be effected in a case where the projectile is a dart, if the point of the dart pierces the back of the target, and in any other case if the projectile passes completely through the back of the target.</p> <p>(iv) Explosives made in small quantities for purpose of chemical experiment and not for practical use or for sale;</p> <p style="text-align: center;">and</p> <p>the following classes of explosives when intended <i>bona-fide</i> for private blasting purpose:—</p> <p>(1) gunpowder in any quantity not exceeding 30 pounds,</p> <p>(2) cartridges made with gunpowder and not containing their own means of ignition, and containing in all not more than</p>	<p>all or any of the prohibitions and directions contained in the Act in respect of air pistols or of any class thereof in the case of any class of persons or of any specified area.</p>
	<p>(viii) Chlorates possessed or sold by <i>bona fide</i> medical practitioners and dispensing chemists in accordance with such conditions as may be prescribed by the Central Government.</p> <p>tion are observed. vide slip.</p> <p>(i) Bows and arrows.</p> <p>(ii) Uniform swords and dirks manufactured in Europe of recognised military or official patterns, when possessed by, or intended to be supplied to, persons entitled to wear them as part of their uniforms.</p> <p>(iii) Swords imported for presentation as prizes for members of the regular or Auxiliary Forces.</p> <p>(iv) In Burma and the Punjab, ornamental arms and arms of an obsolete pattern possessing only antiquarian value, masonic swords, and theatrical and fancy dress swords: provided that they are virtually useless for offensive and defensive purposes.</p> <p>(v) Arms which are in the possession of a regiment or military mess as trophies or curiosities or otherwise solely for purposes of ornament or display.</p>	<p>Those contained in sections 5 and 14.</p> <p>Those contained in section 14.</p> <p>These contained in section 6.</p> <p>All.</p> <p>All.</p> <p>All.</p> <p>All.</p> <p>All.</p>
<p>3. Punjab, Burma and the Delhi Province.</p>		<p>All.</p> <p>All.</p> <p>All.</p> <p>All.</p> <p>All.</p>



Area.	Arms, ammunition or military stores.	Prohibitions and directions.
7. Burma and all districts on the external land frontier of British India.	Saltpetre required for medicinal or goldsmith's purposes in quantities not exceeding 10 lbs.	All.
8. That part of the Bhavnagar railway which lies in the Ahmedabad district in the Bombay Presidency.	All arms, ammunition and military stores covered by any exemption or <i>parwana</i> granted under the Kathiawar State Arms Rules or the Kathiawar Agency Arms Rules, provided that the conditions of such exemption or <i>parwana</i> are observed.	Those contained in sections 13 to 15.
9. Burma—		
(a) Generally.	<p>(i) Lead, except lead in the form of bullets and bird-shot.</p> <p>(ii) Lead, required in good faith for industrial or manufacturing purposes (other than the manufacture of bullets and bird-shot) in quantities not exceeding such limits as the local Government may fix.</p> <p>(iii) Leaden bullets and bird-shot, in quantities not exceeding such limits as the local Government may fix, when possessed by persons entitled to possess fire-arms.</p> <p>(iv) Sulphur in quantities not exceeding one seer.</p> <p>(v) <del>Dahs intended exclusively for domestic, agricultural or industrial purposes.</del> vide <i>no slip affixed</i>.</p>	<p>Those contained in sections 6,</p> <p>All.</p> <p>All.</p> <p>All.</p> <p>All.</p> <p>All.</p>
(b) In the Arakan Hill Tracts.	Spears.	All.

## NOTES.

(1). **MADRAS.**—Under the proviso in column 3 against entry 1 of Schedule II all prohibitions and directions contained in section 5 of the Indian Arms Act, 1878, are retained in respect of the manufacture, conversion or selling or keeping, offering or exposing for sale of bayonets, swords and daggers except under a licence and in the manner and to the extent permitted thereby throughout the Presidency of Madras. (Notn. No. 281, dated the 1st Dec. 1922). Under the proviso in column (3) against entry 1 of Schedule II of the Indian Arms Rules all prohibitions and directions contained in section 6 of the Indian Arms Act 1878, are retained in respect of the import, export and transport of bayonets, swords and daggers, except under a licence and in the manner and to the extent permitted thereby throughout the Presidency of Madras. (Notn. No. 73 dated the 22nd March 1923).

(2). **BOMBAY.**—The arms described in the third column of the table hereto appended shall, within the areas specified in the second column of the said table and in the case of persons or classes of persons specified or described in the fourth column of the said table be subject to such prohibitions and directions contained in the Indian Arms Act, 1878, as are indicated in the fifth column of the said table,

(4) BENGAL—Uncertainty is sometimes felt as to the general extent to which arms other than firearms come within the operation of the Arms Act in Bengal. The position is as follows—Entry 1 in schedule II of the Indian Arms Rules 1924, exempts from the prohibitions and directions in the Act all arms with the exception of firearms and weapons of this class, subject to the proviso that the Local Govern-

are now in force—

(i) Daggers—Going armed with daggers and manufacture, conversion and sale of daggers without licence—(ii) Swords—Manufacture, conversion and sale of sword sticks without licence—(iii) Bayonets—Going armed with bayonets and manufacture, conversion, sale, importation, exportation and possession of bayonets without licence—(iv) Air pistols—Going armed with air pistols and manufacture, conversion, sale, importation, exportation and possession of air pistols without licence. It is not unlawful under the Indian Arms Act as in force in Bengal to possess or go armed with a sword or sword stick but it is unlawful in Calcutta to go armed with a sword or sword stick on account of the order under Section 62A (2) (a) of the Calcutta Police Act issued annually by the Commissioner of Police [Bengal No 1838—1886 Pl dated the 15th May 1925]

(5) Under the proviso in column 3 of entry 1 of the table in Schedule II referred to in the I A Rules, 1924, the prohibitions and directions contained in sections 5, 6 and 13 of the Indian Arms Act, 1878, are retained in respect of bayonets in all districts in the Presidency of Bengal and it is declared that no person in this Presidency—

(a) Shall manufacture, convert or sell or keep, offer or expose for sale,

(b) Shall bring or take by sea or land into or out of this Presidency or

(c) Shall go armed with bayonet except under a licence and in the manner and to the extent permitted thereby (Bengal Notn No 1122 Pl, dated the 2nd April 1925)

(6) Under the proviso in column 3 of entry 1 of the table in Schedule II referred to in rule 3 of the I A Rules 1924 the prohibitions and directions contained in section 15 of the Indian Arms Act 1878 (XI of 1878) are retained in respect of bayonets in all districts of the Presidency of Bengal and it is declared that no person in this Presidency shall have in his possession bayonets except under a licence and in the manner and to the extent permitted thereby (Bengal Notn No 1837 Pl dated the 15th May 1925)

(i) Under the proviso in column 3 of entry 2 (iii) of the table in Schedule II referred to in rule 3 of the I A Rules, 1924, the prohibitions and directions contained in sections 5, 6, and 13 of the Indian Arms Act 1878 (XI of 1878) are retained in respect of air pistols of the kind specified in head (iii) of entry 2 of the table in the same Schedule in all districts in Bengal and it is declared that no person in this Presidency—

(a) shall manufacture, convert or sell or keep, offer or expose for sale,

(b) shall bring or take by sea or by land into or out of his Presidency, or

(c) shall go armed with air pistols, except under a licence and in the manner and to the extent permitted thereby (Bengal Notn No 1123 Pl dated the 2nd April 1925)

(ii) Under the proviso in column 3 of entry 2 (iii) of the table in Schedule II referred to in rule 3 of the I A Rules 1924 the prohibitions and directions contained in section 15 of the Indian Arms Act 1878 (IX of 1878) are retained in respect of  
if the table in the same Schedule  
it is declared that no person in  
air pistols except under a licence  
and in the manner and to the extent permitted thereby (Bengal Notn No 1836 Pl dated the 15th May 1925.)

(7) Under the proviso in column 3 of entry of the table in Schedule II referred to in rule 3 of the Indian Arms Rules, 1924 the prohibitions and directions contained in sections 5 and 13 of the Indian Arms Act 1878 (XI of 1878) are retained in respect of daggers other than obsolete daggers and those not capable of use for offensive and defensive purposes in all districts in the Presidency of Bengal, and that no person in this Presidency—

(a) Shall manufacture, convert or sell or keep, offer or expose for sale, or

(b) Shall go armed with daggers, except under a licence and in the manner and to the extent permitted thereby. (Bengal Notn. No. 1124 Pl. dated the 2nd April 1925.)

(8) Under the proviso in column 3 of entry of the table in Schedule II referred to in rule 3 of the Indian Arms Rules, 1924, the prohibitions and directions contained in section 5 of the Indian Arms Act, 1878 (XI of 1878), are retained in respect of swords and sword-sticks in all districts in the Presidency of Bengal and it is declared that no person in this Presidency shall manufacture, convert or sell or keep, offer or expose for sale the said weapons, except under a licence and in the manner and to the extent permitted thereby (Bengal Notn. No. 1125 Pl. dated the 2nd April 1925).

(9) A licence is required for going armed with an air-gun or air-rifle, which does not satisfy the test laid down in Schedule II. Such licence should be granted in form XVI and in the column for ammunition in the licence may be entered the words "no limit prescribed." (Bengal Notn. No. 3431 P., dated the 31st March 1913, R. and O., para 69, and U. P., R. and O., para. 17).

(10) Cases in which difficulty is experienced in determining whether an air-gun is a deadly weapon or a toy may be referred to the Inspector of Guns and Rifles, Ishapore. In the event of reference being necessary to the Inspector of Guns and Rifles, Ishapore, regarding the classification of an air-gun, the weapons under reference should be sent together with 25 slugs or darts (per weapon) used with it (them). The Strawboards used in the local test should be set aside pending the result of the test by the Inspector of Guns and Rifles, (India, No. 812—821, dated the 9th June 1914). *Postal address of Inspector of Guns and Rifles.*—The Inspector of Guns and Rifles, Ishapore, Nawabganj. *Telegraphic address.*—"Inspector, Guns," Ishapore, Nawabganj. *Address or articles consigned by rail.*—To be consigned to—Superintendent, Rifle Factory, Ishapore Railway Station, Ishapore.)

(11) Under clause (ii) in column 2, opposite the fourth entry in column 1 of the Table contained in Schedule II to the Indian Arms Rules, and by clause (ii) in column 2 opposite the sixth entry in column 1 of the said table, five seers is the limit for the possession without licence of leaden bullets and bird-shot in all districts in the Presidency of Bengal. Lead pellets for air guns and air rifles should be treated as birdshot and leaden bullets should not be possessed, sold, imported, transported or exported in quantities exceeding five seers without licence (Bengal No. 4480, P. dated the 2nd May and No. 1947 P. J., dated the 6th May 1920).

(12) Under clause (ii) in column 2 opposite the fifth entry in column 1 of the table contained in Schedule II, ten seers is the limit of possession of sulphur in all districts of Bengal except those on the external land frontier of British India. The same limit is prescribed for districts on the external land frontier of British India by clause (iii) in column 2 against the sixth entry in column 1 of the same table. (Bengal Notn. No. 4480, P. dated the 5th May 1914).

(13) UNITED PROVINCES.—The exclusion from the prohibitions and directions contained in the Arms Act granted by entry 1 of Schedule II has not been limited in the United Provinces, except temporarily in the case of specified weapon in distributed areas. [*Vide entry (1) of Schedule II.*]

(14) When a notification cancelling the exemption in respect of any weapon is issued, the District Magistrate should take immediate steps to have the orders proclaimed throughout the area concerned warning all persons of the provisions of section 16 of the Arms Act. The cancellation of the exemption will not only apply to persons possessing weapons of the description concerned but also to manufactures of these weapons since their manufacture without licence will also be unlawful. A person who is exempted from the provisions of the Arms Act under Schedule I of the Arms Rules, 1924, remains exempt in respect of weapons the exclusion of which from the operation of all prohibitions and directions contained in the Act has been cancelled for any specified area by notification. [U. P. No. 611-VIII—418, dated the 16th March, 1922.]

(15) Under entry No. (1) of Schedule II appended to the Arms Rules, 1924, kirpans carried or possessed by Sikhs have been excluded from the operation of all prohibitions and directions contained in the Arms Act throughout the United Provinces. [U. P. No. 1278-VIII—221 dated the 2nd May, 1922.]



(16) Firearms captured from enemies and kept as trophies by a regiment or military mess should be rendered unfit to fire (India No 978, dated the 28th May, 1920)

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Areas	Ammunition or military stores	Quantity exempted
(1) All districts in the United Provinces	Sulphur Lead required <i>bona fide</i> for industrial and manufacturing purposes (other than for bullets and bird shot)	Ten seers Any quantity
(2) Districts in the United Provinces on the external land frontier of British India	Lead bullets and bird shot	56 lbs (4 cwt)
(3) Other districts in the United Provinces	Lead bullets and bird shot	112 lbs (1 cwt)

[U P No 1098 VI—752 dated the 9th May, 1911, and No 804 VI—62, dated the 18th February, 1915 and Rules on page 66 of United Provinces Arms Rules, 1909]

(18) PUNJAB—  
districts of the Punjab  
not exceeding ten seers  
in the Arms Act (Pun . . .)

(19) With reference to item 4 (ii) of Schedule II—in all districts of the Punjab, except the districts of Mianwali, Muzaffargarh and Dera Ghazi Khan leaden bullets and bird shot in quantities not exceeding one cwt, are exempted from all prohibitions and directions contained in the Arms Act (Punjab Notn No 10744, dated the 5th April 1921)

(20) With reference to item 6 (i) of Schedule II—in the districts of Mianwali, Muzaffargarh and Dera Ghazi Khan, lead required *bona fide* for industrial and manufacturing purposes (other than the manufacture of bullets and bird shot) in quantities not exceeding one cwt, is exempted from all prohibitions and directions contained in the Arms Act (Punjab Notn No 10746 dated the 5th April, 1922)

Notn No 7 111 VI, dated the 14th April 1921)

I of the  
nd 13 of  
daggers,  
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(22) Under the first entry in Schedule II of the Indian Arms Rules 1920 the prohibitions and directions of sections 5 6 and 13 of the Indian Arms Act (XI of 1878) are retained in respect of bayonets in regard to all classes of persons, and throughout the Central Provinces (C P Notn No 684 192 VI dated the 28th March 1923)

(23) Under the provisions in the second column opposite the fifth entry in the table appended to Schedule II of the Indian Arms Rules, 1924, ten Seers is the

\* Defined as extending from Karachi, round the Punjab, the United Provinces, Bengal, Assam and Burma near to Mergui

(x) in the first column, in the words "Burma" omitted;

(b) for the words "in the colony" the words "in Sind" shall be substituted;

(xi) entry 9 shall be omitted

(18) In the Table set forth in the said Rules—

(i) in the first column, in the words "the Political Resident at Aden" shall be substituted;

(ii) entry III shall be omitted.

shall be exempted from the operation of all prohibitions and directions contained in the Indian Arms Act, 1878, (Notn. No. 702 dated the 5th Feb. 1923.)

(b) in the Central Provinces from the date of the Indian Arms Act, 1878 to 30th Nov. 1919, is hereby cancelled.

(c) in consequence to items (i) and (ii) of entry (6) the Chief Commissioner has declared that

(d) for the purposes (other than manufacturing purposes (other than quantities not exceeding one cwt.

to lbs in weight, and

(and directions contained in the Indian Arms Act, 1878, (Notn. No. 702 dated the 5th Feb. 1923.)

(5 of the table subjoined to

and bird shot in quantities not

exceeding ten seers in the province

### SCHEDULE III.—(See rule 3 of the Indian Arms Rules, 1924, on page 87).

#### ARMS, AMMUNITION AND MILITARY STORES EXCLUDED.

The arms, ammunition and military stores described in the first column of the subjoined table are excluded from the operation of the prohibitions and directions contained in section 6 of the Act to the extent entered in the second column.

THE TABLE.

Arms, ammunition and military stores.	Prohibitions and directions.
1	2
I. Any arms, ammunition or military stores brought into and landed in bond at, or brought into any port in British India and declared under manifest to be consignments for, any port (other than a port specified in entry II of this Schedule) to which export is permitted.	All.
II. Any arms, ammunition or military stores brought into any port in British India and declared under manifest to be consignments for any port within the political charge of the Political Resident at Aden or the Political Resident in the Persian Gulf to which export is permitted.	Those relating to import.
III. Any arms, ammunition or military stores brought into the port of Aden and consigned, whether with or without transshipment, from any other British port to any other port, other than a port on the eastern sea-board of Africa to which the shipment of arms is for the time being forbidden by an order of the Political Resident at Aden.	All.

SCHEDULE IV. PARTS OF BRITISH INDIA WITHDRAWN.—(See Rule 3 of the Indian Arms Rules, 1924, on page 57.)

specified in the first column of the subjoined table are withdrawn, in arms and ammunition described in the second column, from such directions contained in the Act as are indicated in the third column.

THE TABLE.

Those con- tained in secs 13 and 15.	Area.	Arms and ammunition.	Prohibition and directions.
	ed Districts, in the residency.	All, except cannon and breech load- ing arms.	All, except those con- tained in sections 13 and 15.
Those contained in sec- 13 and 15.	Long Hill Tracts in	All.	Those contained in sec- tions 13 and 14.
			Those contained in sec- tions 13 and 14.

Schedule IV to the said Rules

of the table to the said Rules, in the Madras Pro-  
vince of Madras

to.

contained in sec-  
13 and 15, and  
a person who refuses  
to comply with  
regulations of  
Railway for the  
in connection to  
custody of arms  
and ammunition  
be entitled to the  
of the arms, to

to be

so contained in sec-  
13, 14 and 15.

any municipality and  
within three miles of any part  
in which area restrictions already  
be taken out; failing this all such  
munition or military stores must be  
in the police or disposed of within  
from the date of the proclamation  
this period of time to be  
by the police and it is  
of military stores is  
to be withdrawn and

Act, 1878 (XI of 1878), the Governor  
in Council is pleased to direct that the  
further amendments shall be made  
Indian Arms Rules, 1924, namely —  
In Schedule I to the said Rules, —  
(7) shall be omitted and entered  
and (10) shall be re-numbered  
and (9), respectively

(i) for the entry in the third column against item (1), the following entry shall be substituted, namely:—

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“Ports in French India”;

SCHEDULE IV]

(ii) in the third column, for clauses (i) and (v) relating to entry (2), the following clauses shall be substituted, respectively, namely:—

dition and  
ctions.

“(i) Ports in Portuguese India” and “(v) Ports in Iraq”.

(b)

(iii) in the third column for clause (ii) relating to entry (3) the following clause shall be substituted, namely:—

“(ii) Ports in Iraq”;

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(iv) In entry (4)—

(a) in the first column, for the words “The Commissioner in Sind” the words “The Secretary to the Government of Sind” shall be substituted;

ained in sec-  
nd 15.

(b) in the third column, in clause (i), for the word “Kutch” the word “Cutch” and for clause (iii) the following clause shall be substituted, namely:—

\*  
† 1

“(iii) Ports in Iraq”;

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C

(v) entry (5) shall be omitted;

on page 95.)—  
in states

(vi) for entry (6) the following entry shall be substituted, namely:—

Office

“(6) The Resident Any port in Any port in any  
for the States of British India. State in Ka-  
Western India. thiawar or in  
the Cutch  
State.”

ditions.

1

4

(vii) for the entry in the first column relating to item (7) the following entry shall be substituted, namely:—

(1) The  
tary t  
Govern  
of Mad  
the J  
Depart

“(7) The Agent to the Governor General,  
Resident and Chief Commissioner in  
Baluchistan, and the Political Agent,  
Kalat”;

(2) The  
tary t  
Govern  
of Bon  
the P  
Depart

(viii) for the entry in the first column relating to item (8) the following entry shall be substituted, namely:—

“(8) The Resident for the Madras States.”

(ix) for the entry in the first column relating to item (9) the following entry shall be substituted, namely:—

“(9) The Resident for Kolhapur  
the Deccan States”

Officers	Ports from which they may grant licences to export	Ports to which they may grant licences to export	Conditions
1	2	3	4
(3) The Chief Secretary to the Government of Bengal	Calcutta	<p>(v) ports within the political jurisdiction of the High Commissioner, Iraq</p> <p>(i) Ports within the political jurisdiction of the Political Resident in the Persian Gulf and</p> <p>(ii) ports within the political jurisdiction of the High Commissioner, Iraq</p>	<p>For sporting rifles (other than sporting rifles taking ammunition of 303 or 450 bore) sporting shot guns and sporting ammunition (other than ammunition which can be used in rifles of 303 or 450 bore), not intended for sale or for military purposes, but for the personal use of the consignee and for explosives required for commercial purposes</p> <p>For sporting rifles (other than sporting rifles taking ammunition of 303 or 450 bore) sporting shot guns and sporting ammunition (other than ammunition which can be used in rifles of 303 or 450 bore) not intended for sale or for military purposes, but for the personal use of the consignee</p>
(4) The Commissioner in Sind	Karachi	<p>(i) Ports within the territory of His Highness the Maharao of Kutch</p> <p>(ii) ports within the political jurisdiction of the Political Resident in the Persian Gulf and</p> <p>(iii) ports within the political jurisdiction of the High Commissioner, Iraq</p>	Ditto.
(5) The Political Resident at Aden	Aden	<p>(i) Any port on the coast of Africa or Arabia (other than a port on the latter coast which is within the political jurisdiction of the High Commissioner Iraq) and</p> <p>(ii) any port on the coast of Arabia which is within the political jurisdiction of the High Commissioner, Iraq</p>	Ditto

Officers.	Ports from which they may grant licences to export.	Ports to which they may grant licences to export.	Conditions.
1	2	3	4
(6) The Agent to the Governor General in the States of Western India.	Bombay and Karachi.	Any port in any State in Kathiawar or in the Kutch State.	
(7) The Agent to the Governor-General and Chief Commissioner in Baluchistan and the Political Officer	Any port in British India.	Any port on the Makran Coast which is within their respective political jurisdiction.	

In Schedule V to the said Rules, after entry (8) the following entry shall be inserted, namely :—

“(9) The Agent to the Governor General for the Deccan States and Resident at Kolhapur. Any port in British India. Any port in the Deccan States”.

es, 1924, page 96.]

BY LAND OR RIVER  
TO ANY PLACE BEYOND THE FRONTIER OF BRITISH INDIA.

Officers.	Place.	Conditions.
1	2	3
(a) Commissioner of Revenue in Madras. (b) Bombay, or (c) Bengal. (d) The Commissioner of Police in Madras.	Any French Settlements in the Madras Presidency.	For the export of ammunition intended solely for the use of a public railway or for public work.  — persons who would be exempted in British India from the ordinary prohibitions of the Act and subject to the following conditions so far as those conditions apply to the circumstances of the case, namely :— (a) The consignment for export shall consist only of arms and ammunition in reasonable quantities and personal use ; (b) the consignee shall be one of the persons or shall belong to one of the classes of persons, mentioned in Schedule I ; and (c) the Commissioner shall keep a list of such licences.

## Officers.

1

- (3) (i) The Commissioner of Police in towns of—  
 (a) Madras.  
 (b) Bombay.  
 (c) Calcutta.  
 (d) Rangoon.  
 (ii) The District Magistrate in other places.

- (i) The Commissioner of Police in the towns of—  
 (a) Madras, and  
 (b) Bombay.  
 (ii) The District Commissioner of Police in Calcutta.  
 The District Magistrate

(21) In Schedule VI to the said Rules—

(i) In the first column, in sub entry (i) of entry (3) the words, brackets and letter "and (d) Rangoon" shall be omitted,

(ii) in entry (8)—

(a) in the second column, in clause (ii) the word "Chitral" shall be omitted,

(b) in the third column—

(x) the word "Chitral", where it occurs for the first time, shall be omitted,

(y) in clause (d) for the words "Agents to the Governor General in" the words "Residents for", for the words "Political Officer for Dir" the words "Political Agent for Dir", for the words "Assistant Political Officer in Chitral" the words "Assistant Political Agent at Chitral", and for the words "Political Officer, Tochi, or the Political Officer, Wana according as the consignment is for Tochi or for elsewhere in Waziristan" the words "Political Agent for North or South Waziristan, as the case may be", shall be substituted.

India, and are required for the personal use of persons, or members of the classes specified in Schedule I

- 5) The District Magistrate of Malabar.

Mahe

- (6) The Secretary to the Government of Bombay in the Political Department

Portuguese India

- The Board of Revenue  
 (7) (a) The Secretary to the Government of Madras in the Judicial Department.

Pondicherry and the other French Settlements in the Madras Presidency.

Officers.	Place.	Conditions.
1	2	3
(b) The Chief Secretary to the Government of Bengal.	Chandernagore.	
(8) The District Magistrate of Meerut.	(i) Any State in India, and  (ii) Kurram, Chitral and Waziristan.	For the export of ammunition only to States in India ; and for the export of arms and ammunition to Kurram, Chitral and Waziristan, subject to the following conditions, namely :—  (a) the consignment for export shall consist only of sporting ammunition or sporting arms and ammunition in reasonable quantities for the personal use of the consignee ; (b) the consignee shall be one of the persons or shall belong to one of the classes of persons specified in the proviso to clause (a) of sub-rule (1) of rule 39 ; and (c) the Magistrate shall keep a list of all licences issued by him ; and (d) copies of licences covering consignments to States in Central India or Rajputana shall be sent to the Agents to the Governor-General in Central India and Rajputana, respectively. In the case of Chitral, when the ammunition is to be exported by way of Peshawar, the Magistrate shall send a copy of the licence to the Political Officer for Dir, Swat and Chitral for communication, when necessary, to the Assistant Political Officer in Chitral. If the consignment is forwarded by way of Kashmir, a copy of the licence shall be sent to the Resident. In the case of Waziristan, the Magistrate shall refer to the Political Officer, Tochi, or the Political Officer, Wana, according as the consignment is for Tochi or for elsewhere in Waziristan.
(9) The District Magistrate of Rawalpindi.	Kashmir..	(a) The consignment for export shall consist only of sporting ammunition in reasonable quantities for the personal use of the consignee ; (b) the consignee shall be one of the persons or shall belong to one of the classes of persons specified in the proviso to clause (a) of sub-rule (1) of rule 39 ; and (c) the Magistrate shall keep a list of all licences issued by him.
(10) The District Magistrate of Delhi, Karachi and Lahore.	Any State in India.	Idto.





Officers.	Place.	Conditions.
1	2	3
<p><del>(h) the Political Officer in Hill Tippera, &amp;c.</del></p> <p><del>(i) the Political Officer, Orissa</del></p> <p><del>(j) Agent to the Governor-General, Madras States;</del></p> <p><del>(k) The Political Officer for—</del></p> <p><del>(i) Pudukota,</del></p> <p><del>(ii) Dauganapalle, and</del></p> <p><del>(iii) Sandur;</del></p> <p>(l) the Political Officers in—</p> <p>(i) Quetta-Pishin,</p> <p>(ii) Sibi, and</p> <p>(iii) Kalat;</p> <p>(m) the Collectors and Political Officers in—</p> <p>(i) Surat,</p> <p>(ii) Satara,</p> <p>(iii) Thana</p> <p>(iv) Kolaba,</p> <p>(v) Dharwar,</p> <p>(vi) Kalra,</p> <p>(vii) Sholapur,</p> <p>(viii) Poona,</p> <p>(ix) Nasik,</p> <p>(x) Bijapur, and</p> <p>(xi) Sukkur;</p> <p>(n) the Political Officer in Manipur.</p> <p>(o) the Deputy Commissioner in the Khasi and Jaintia Hills;</p> <p>(p) the Political Officer in Sikkim;</p> <p>(q) all Political Officers and Deputy Commissioners in the North-West Frontier Province;</p>		

Officers.	Place.	Conditions.
1	2	3
(r) the Political		
the Central Provinces, who may have States in India within their political charge; and		
(s) the Agents to the Governor for Rampur, Benares and Tehri States.		
(12) (a) The Secretary to the Government of Bombay in the Political Department; and	Any place within the Political jurisdiction of His Britannic Majesty's Consul General and Agent of the Government of India in Khorasan or of His Britannic Majesty's Consul for Sistan and Kain.	
(b) the Chief Secretary to the Government of Bengal.		
(13) The Chief Secretary to the Government of Burma.	Any State in India within the political charge of the Government	Subject, in the case of export to Japan or China, to the condition that the consignment has obtained sanction to the export from the consignment from the Japanese authorities concerned.



Persons	Arms and Ammunition
<p>permitted to wear calling on Government rank which they are entitled to</p>	<p>Revolvers which formed part of equipment as a police officer, together with a reasonable quantity of ammunition for the same</p>
<p>(6) The heirs or successors of persons holding awards or other arms received by them as gifts from the Governor General in Council or a local Government</p>	<p>Such arms as were received as gifts, together, with, where necessary, a reasonable quantity of ammunition for the same</p>
<p>(7) Government servants whose possession of arms—such possession not being exempted from the provisions of the Act under section 1 (b) thereof—is declared by the Local Government to be in the public interest</p>	<p>Such arms and ammunition as are specified in the declaration</p>
<p><i>S.I. and officers of English rank</i>  <i>2. Officers of English rank</i>  <i>exempted by the C.O. NOTES</i></p>	<p>“Such arms and ammunition as considered reasonable by the</p>
<p>(1) Under sub rule (3) of rule 41 (now 4) in the fee payable in respect of the grant of a single licence in Form A-11 (now 1) under rule 29 (now 33) of the said rules for the possession of a single firearm other than a rifle pistol or revolver, or in respect of the renewal of such licence</p>	<p>Magistrate, Ajmer Merwara”</p>

## SCHEDULE

- 1 Hari Singh (Christian) of village Berobegh, tahsil Kotgarh district Simla
- 2 Budh Raj (Christian) of village Saraga tahsil Kotgarh district Simla
- 3 Tal Singh (Kanait) of village Dhah tahsil Kotkhai, district Simla
- 4 Dhani Ram of village Nauza, tahsil Kotgarh district Simla
- 5 Sarda Nand son of Nand Das, village Nauza pargana Kope, tahsil Kotgarh, district Simla
- 6 Sarnoo Kanait of village Dalan tahsil Kotgarh, district Simla
- 7 Galeb Singh son of Bud Singh, village Dakahal tahsil Kotkhai, district Simla
- 8 Dirjoo son of Fandoo Kanait of village Koti tahsil Kotkhai, district Simla.

(2) Officers holding Commission in the Auxiliary and Territorial force are not exempted from payment of licence fees in respect of private arms. All warrant officers, non commissioned officers and men in these forces are however exempted under item (1) (a) of Schedule VII of the I A R 1924 from payment of licence fees in respect of all arms which they possess under a licence in Form A-11. Their exemption from payment of licence fees does not however entitle them to the grant of licences except in accordance with the orders in force from time to time regarding issue and renewal of licences. The restrictions on the grant of licences in paragraph 58 (of the Bengal Rules and Orders) apply in these cases also. S.I. Nos 976 1003 P.I.D. dated the 22nd Sept 1924 and S.I. Nos 1004 1005 dated the 29th November 1924.)

(3) The possession of a Kukri by a member of the Indian Police Department of the Bombay Engineering Circle who is in the possession of a licence in Form A-11 dated the 21st June 1927)

FORM I.—(See Rules 5, 23 and 30.)

FREE OF ALL FEE.

*Licence for the import  
transport of cannon, articles designed for torpedo service, war-rockets,  
possession  
or machinery for the manufacture of arms or ammunition.*

Name, description, and residence of licensee and agent (if any).	Number of packages.	Description with specification of calibre of cannon or other articles.	Number of articles.	COLUMNS TO BE FILLED UP IN CASE OF IMPORT OR TRANSPORT.			Period for which the licence is valid.	Use to which the articles are to be put.
				Place of despatch and route.	Place of destination.	Name, description and residence of consignee.		
1	2	3	4	5	6	7	8	9

The—of—19 . { *Date on which a copy is sent to  
the Commissioner of Police—  
District Magistrate of the—  
district.*



(Signature)

The—of—19 .

*Secy. to the Govt. of India,  
Home Department.*

### Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act. 1878, and of the Indian Arms Rules, 1924.
2. In cases of import or transport—
  - (a) bulk shall not be broken before the articles reach the place of destination, and
  - (b) the articles shall be delivered only to a person lawfully entitled to receive them.
3. In cases of import by land or river, or of transport, an account of the contents of each package shall be legibly written thereon.
4. In cases of transport by rail, each package shall be marked with the word "cannon," or, as the case may be, in such a manner as to be readily recognizable by the railway authorities.



## FORM III.—(See Rule 10.)

FEE—

(a) where granted under rule 10 (1), FIVE RUPEES;

(b) where granted under rule 10 (2), FREE OF ALL FEE.

*Licence for the import of arms, ammunition or military stores by land or river,*

Name, description and residence of licensee and agent (if any).	Number of packages.	ARMS.		AMMUNITION OR MILITARY STORES.		Place of despatch and route.	Purpose for which required.	Place of destination.	Name, description and residence of consignee.	Period for which the license is valid.
		Description.	Number.	Description.	Weight in seers or number.					
1	2	3	4	5	6	7	8	9	10	11
										From the—
										to the—
										—19 .

(Signature).

Commissioner of Police—

District Magistrate of the—district,

Political Officer for the—State.

The—of—19 . Date on which a copy is sent to the

Political Officer for the—State [rule 10 (3)]

District Magistrate of the—district [rule 10 (4)].

The—of—19 .

Station Master at the—station [rule 10 (6)].

## Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. The articles shall not be conveyed by any route other than that specified in column 7; and bulk shall not be broken, nor shall the consignment be stopped, before the articles reach the place of destination.

3. An account of the contents of each package shall be legibly written thereon; and where the articles are conveyed by rail, each package shall be marked with the word or expression "Arms", "Ammunition," or "Military Stores," as the case may be, so as to be readily recognizable by the railway authorities



## FORM IV—(See Rule 15.)

FEE—

- (a) where granted under Rule 15 (2) (a) to (d). TEN RUPES, or  
in the case referred to in Rule 46 (2), ONE RUPEE ,  
(b) where granted under Rule 15 (2) (e), FREE OF ALL FEE.

Licence for the export by sea of arms, ammunition or military stores from the port  
of \_\_\_\_\_ to the port of \_\_\_\_\_.

Name, description and resi- dence of licensee and agent (if any).	Number of packages	ARMS.		AMMUNITION OR MILITARY STORES		Port to which con- signment is to be despatched	Period for which the licence is valid, and the amount of fee charged
		Description	Number.	Description	Weight in seers or number		
1	2	3	4	5	6	7	8
							From the _____ _____ in the _____

The \_\_\_\_\_ of \_\_\_\_\_ 19 \_\_\_\_\_

(Signature)

The \_\_\_\_\_ of \_\_\_\_\_ 19 \_\_\_\_\_

ent to the  
\_\_\_\_\_ district

{ [Rule 15 (4)]

The \_\_\_\_\_ of \_\_\_\_\_ 19 \_\_\_\_\_

{ Commissioner of Police  
District Magistrate of the \_\_\_\_\_ district

Seal.

## Conditions

1 This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2 Where the consignment is to be despatched to an Indian port, the licence shall not be valid for export to any port other than that entered in column 7,

(ii) in Form V, for the words "Secretary to the Government of India, Foreign and Political Department" the words "Secretary to the Central Government, External Affairs Department" shall be substituted;

FILE VIII]

FEE—FIVE RUPEES.

Licence for the export by sea of arms, ammunition or military stores from the port  
of \_\_\_\_\_ to the port of \_\_\_\_\_

Names, description and residence of licensee and agent (if any).	Number of packages.	ARMS.		AMMUNITION OR MILITARY STORES.		Place of despatch and route.	Purpose for which required.	Place of destination.	Name, description and residence of consignee.	Period for which the licence is valid.
		Description.	Number.	Description.	Weight in seers or number.					
1	2	3	4	5	6	7	8	9	10	11

(Signature).

Secy. to the Govt. of India, For. and Poll. Dept.  
Officer specially empowered under Rule 16.

The \_\_\_\_\_ of \_\_\_\_\_ 19 . { Date on which a copy is sent to the  
(1) Poll. Officer or Poll. Resdt. [Rule 16 (2)].  
(2) Agent or Master of vessel at  
the.....port [Rule 16 (3)].

Conditions are similar to those of Form III.

FORM VI.—(See Rule 17).

FEE—FIVE RUPEES.

(iii) in Form VI—

(a) for the heading the following shall be substituted, namely:—

"Licence for the export by land of arms, ammunition or stores to . . . . . in the . . State"; and

(b) for the words "Secretary to the Government of India, Foreign and Political Department" the words "Secretary to the Central Government, External Affairs Department" shall be substituted;

(Licence for the export of arms, ammunition or military stores to the \_\_\_\_\_ State in political relation with the \_\_\_\_\_ of \_\_\_\_\_)

Names, description and residence of licensee and agent (if any).	Number of packages.	ARMS.		AMMUNITION OR MILITARY STORES.		Place of despatch and route.	Purpose for which required.	Place of destination.	Name, description and residence of consignee.	Period for which the licence is valid.
		Description.	Number.	Description.	Weight in seers or number.					
1	2	3	4	5	6	7	8	9	10	11

Conditions are similar to those of Form III.

FORM VII.—(See Rule 24)

FEE—TEN RUPEES.

*Licence for the transport of arms, ammunition or military stores.*

Name, description and residence of licensee and agent (if any) authorized for the purpose of this consignment	Licensee's place of business, if any.	Number of packages	ARMS		AMMUNITION OR MILITARY STORES.		Place of despatch, route and mode of transit	Place of destination	Name, description and residence of consignee.	Period for which the licence is valid
			Description	Number	Description.	Weight in seers or number.				
1	2	3	4	5	6	7	8	9	10	11

The—of—19 . . . . . (Date on which the previous sanction . . . . .) (Signature),  
 . . . . .  
 The—of—19 . . . . . Seal. ) Commissioner of Police  
 . . . . . [rule 24 (2) (b)]. District Magistrate of the—  
 . . . . . Magistrate at—[rule 24 (3)] —district.  
 The—of—19 . . . . .

Conditions 1 to 3 are similar to those of Form III

4. The articles shall be delivered only to a person lawfully entitled to receive them

FORM VIII.—(See Rules 26 and 27)

FEE—TEN RUPEES

*Licence for the import, transport and re export } of arms, ammunition or military stores.*  
*export and re import }*

Name, description and residence of licensee and agent (if any) authorized for the purpose of this consignment	Licensee's place of business, if any.	Number of packages.	ARMS		AMMUNITION OR MILITARY STORES		Place of despatch, route and mode of transit	Place of destination.	Name, description and residence of consignee.	Period for which the licence is valid.
			Description.	Number	Description	Weight in seers or number				
1	2	3	4	5	6	7	8	9	10	11

The—of—19 . . . . . { Date on which copy is sent to the  
 . . . . . (a) other Political Officer concerned  
 . . . . . ( Rule 26 (2) (a) )  
 The—of—19 . . . . . (b) District Magistrate of District  
 . . . . . ( Rule 26 (3) )  
 . . . . . 27 (2) (b) )  
 The—of—19 . . . . . (c) Station Master at the—Railway Station  
 . . . . . ( Rule 26 (2) (a) )  
 . . . . . 27 (2) (a) )

Signature

Political officer  
 officer specially  
 empowered under,  
 Rule 27.  
 . . . . .

Conditions are similar to those of Licence Form VII.

\* *Ten*

FORM IX.—[See Rule 28 (1) (a).]

FEE—~~TWENTY~~ RUPEES.

*Licence to manufacture, convert, sell or keep for sale arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles.)*

Serial number of license.	Name, description and residence of licensee, and of duly authorised agent or agents if any.	Place of business, factory, &c.	DESCRIPTION AND	DESCRIPTION AND
			QUANTITY OF	QUANTITY OF
1	2	3		

(iv) in Forms IX and X—

(a) in the last column of the tables the words, letters and figures "In Burma  
The 31st March, 19 . Elsewhere  
" shall be omitted:

(b) in condition 11, the words "or, in  
Sind, by the Commissioner in Sind"  
shall be omitted:

(c) condition 13 shall be omitted; and

(d) conditions 14 and 15 shall be renumbered 13 and 14 respectively:—

Date and year of renewal.	Date on which the renewed licence expires.	Signature of Commissioner of Police or District Magistrate.

## Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and the Indian Arms Rules, 1924.

2. The licensee shall maintain registers of all arms manufactured or converted, of all ammunition and military stores manufactured, of all stock in hand, and of all sales in such form as the local Government may direct.

3. He shall exhibit his stock and his registers on the demand of any Magistrate or any Police officer of a rank not below that of Inspector, or, if the local Government so directs, of Sub-Inspector.

4. (1) He shall affix on a conspicuous part of his place of business, factory or shop a signboard, on which shall be painted in large letters in English and in the vernacular of the District his name and the words "Licensed to manufacture (or "Licensed to deal in" as the case may be) arms, ammunition and military stores."

(2) He shall also affix in his place of business, factory or shop a copy of section 28 of the Indian Arms Act, 1878, either in English or in the vernacular of the District.

5. He shall at the time of purchase of arms, in the North-West Frontier Province, at the time of purchase of all ammunition and elsewhere at the time of purchase of ammunition for rifles other than .22 bore, revolvers or pistols, endorse upon the licence of every purchaser holding a licence in Form XVI, XVII, XVIII, XIX or XX—

(n) the name, description and residence of the person who takes delivery of the articles sold,

(b) the nature and quantity of the articles sold and

and n . . . . .ster the number

in excess of the maximum which may be fixed by the local Government for such person and which is endorsed on such person's licence

9 He shall not sell arms, ammunition or military stores elsewhere than at the place of business, factory or shop specified in column 3

10 He shall not sell arms ammunition or military stores to an Indian officer, non-commissioned officer or soldier or His Majesty's Indian Forces, unless such permit signed by his Commanding Officer, and conditions specified in such pass or permit  
 . . . . .ment arms, ammunition or military stores, or,  
 . . . . .this behalf by the local Government or in Sind  
 . . . . .deep or sell revolvers manufactured out of India or  
 magazine pistols

*Explanation*—For the purposes of this condition,—

(a) "Government arms" means a firearm or other weapon which is the pro  
 . . . . .ean,  
 . . . . .any

.. . . . .sam,  
 .. . . . .m a  
 .. . . . .local Government and, from

.. . . . .local area in Burma, the  
 .. . . . .sell arms, ammunition or  
 .. . . . .e sanction in writing of the  
 .. . . . .resides or of the Commis

isioner of Police, if the person resides in Rangoon

(2) Nothing in this condition shall be deemed to apply to sales to or for the use of—

(a) Any person who is exempted under entry (1), (4) or (6) (e) of the table appended to Schedule I to the Indian Arms Rules, 1924, from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act, 1878, or

(b) any list compiled by the District  
 ho declares that he purchases for his

m) In Schedule VIII to the said Rules—

(a) In condition 14 of each of Forms IX and X sub-clause (b) of clause (2) shall be omitted and sub clause (c) shall be re-lettered as sub-clause (b)

for any local area in the North-  
 han district or the Isa Khel tahsil of  
 half not, save as herein otherwise  
 res to, or for use of, any person  
 istrate of the district in which

med to apply to sales to or for

(b) In Form XI—

(1) in the heading to column 1 the words "and of duly authorised agent or agents, if any" shall be omitted; and

y (1), (2), (3), (4) or (6) (d) of the  
 an Arms Rules 1924, from the  
 in sections 13 to 15, of the Indian

ons of the North West Frontier  
 8) and (9) of Schedule IV to those

) in the heading to column 2 after the word "licensee" the words "and of duly authorised agent or agents, if any" shall be inserted.

on at the nearest police station  
 any stores covered by the licence

FORM XI—*contd.*

(2) He shall also affix in his place of business, factory or shop a copy of section 28 of the Indian Arms Act, 1878, either in English or in the vernacular of the district.

5. He shall at the time of purchase of arms, in the North-West Frontier Province *and* at the time of purchase of all ammunition, and elsewhere at the time of purchase of ammunition for rifles other than '22 bore, revolvers or pistols endorse upon the licence of every purchaser holding a licence in form XVI, XVII, XVIII, XIX or XX—

(a) the name, description and residence of the person who takes delivery of the articles sold,

(b) the nature and quantity of the articles sold, and

(c) the date of sale,  
and shall sign the endorsement,

6. He shall at the time of the sale of a weapon enter in his register the number and marks, if any, stamped on the weapon at the time of manufacture.

7. He shall give information of all sales of arms, ammunition and military stores to such person and in such manner as the Local Government may direct.

8. He shall not sell breech-loading rifles, rifle ammunition or military stores for rifles elsewhere than at the place of business, factory or shop specified in column 3.

9. He shall not keep Government arms, ammunition or military stores.

*Explanation*—For the purposes of this condition—

(a) "Government arms" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" and "Government military stores" mean, respectively, ammunition and military stores manufactured in any Government factory, or prepared for and supplied to Government.

10. He shall not sell arms, ammunition or military stores to an Indian officer, non-commissioned officer or soldier of His Majesty's Indian Forces, unless such person produces a written pass or permit signed by his Commanding Officer, and then only to the extent and on the conditions specified in such pass or permit.

11. (1) Where the licence is granted in and for any local area in Burma, the licensee shall not, save as herein otherwise provided, sell breech-loading rifles, rifle ammunition or military stores for rifles to, or for the use of, any person without the sanction in writing of the District Magistrate of the district in which such person resides, or of the Commissioner of Police if the person resides in Rangoon.

(2) Nothing in this condition shall be deemed to apply to sales to, or for the use of—

(a) any person who is exempted under entry (1), (4), or (6) (e) of the table appended to Schedule I to the Indian Arms Rules, 1924, from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act, 1878, or

(b) any person whose name is included in any list compiled by the District Magistrate for this purpose, and who declares that he purchases for his own use.

12. (1) Where the licence is granted in and for any local area in the North-West Frontier Province, or the Dera Ghazi Khan district or the Isa Khel tahsil of the Mianwali district of the Punjab, the licensee shall not, save as herein otherwise provided, sell breech-loading rifles, rifle ammunition or military stores for rifles to, or for the use of, any person without the sanction in writing of the District Magistrate of the district in which such person resides.

(2) Nothing in this condition shall be deemed to apply to sales to, or for the use of—

(a) any person who is exempted under entry (1), (2), (3), (4), or (6) (d) of the table appended to Schedule I to the Indian Arms Rules, 1924, from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act, 1878, or

(b) any person whose name is included in any list compiled by the District Magistrate for this purpose, and who declares that he purchases for his own use.

13. The licensee shall forthwith give information at the nearest police-station of the loss or theft of any arms, ammunition or military stores covered by the licence.

[SCHEDULE VIII] THE INDIAN ARMS RULES.

FORM XII—[See Rule 28 (2)]

See *cont* in *Form* 178

FEE—(a) where the licensee already holds a license in Form X,—FREE OF ALL CHARGES.  
(b) in all other cases—TEN RUPEES

*Licence to sell and keep for sale breech loading rifles, parts of breech loading rifles,  
rifle ammunition or military stores for rifles*

Serial number of licence.	Name, description and residence of licensee, and of duly authorised agent or agents, if any	Place of business or shop	Description and number of arms.	Description and quantity of am- munition or military stores	Date on which the licence expires
1	2	3	4	5	6
					In Burma— The 31st March, 19— Elsewhere— The 31st December, 19—.

(Signature)

Secretary to the \_\_\_\_\_  
Commissioner in Sind

The \_\_\_\_\_ of \_\_\_\_\_ 10 .

Form of renewal of the Licence

Signature of new

Date and year of renewal	Date .	Signature of new

Conditions 1, 2 and 3, are identical with those of License FORM X

place of business or shop a  
English and in the vernacular  
deal in breech-loading rifles,

(2) He shall also affix in his place of business or shop a copy of section 28 of the Indian Arms Act 1878, in English or in the vernacular of the district

Conditions 5, 6 and 7 are similar to conditions 5, 6 and 7 of Licence FORM IX.

8. He shall not sell arms, ammunition or military stores elsewhere than at the place of business or shop specified in column 3.

Conditions 9 to 13 are similar to the corresponding conditions of FORM XI

## THE INDIAN ARMS RULES. [SCHEDULE VIII]

## FORM XV—[See Rule 32.]

- FEE—(a) For each breech-loading pistol or revolver,—TEN RUPEES;  
 (b) For any other breech-loading weapon—FIVE RUPEES;  
 (c) For other weapons—EIGHT ANNAS in disarmed districts, and FOUR ANNAS elsewhere, for each weapon.

The above-mentioned fees are for licences granted for periods of one year or less. A licence in this Form may be granted for any period exceeding one year and not exceeding three years, in which case a compounded fee shall be levied.

*Licence for the possession and use, for the purpose of target practice, of firearms and ammunition.*

Serial number of licence.	Name, description and location of mess, club or association.	ARMS OR AMMUNITION THAT LICENSEE IS ENTITLED TO POSSESS.		Place within which the licence is valid.	Date on which the licence expires. * Vide Co. Rules.
		Description.	Quantity.		
1	2	3	4	5	6

The — of — 19 .

Seal.

(Signature)

Commissioner of Police—  
 District Magistrate—  
 of the — district.  
 Sub-Divisional Magistrate of the — district.

Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, (XI of 1878), and of the Indian Arms Rules, 1924

2. It covers only the mess, club, or association named and the arms and ammunition described therein.

3. The mess, club or association, at the time of purchasing any new arms, and in the North-West Frontier Province, at the time of purchasing ammunition, and elsewhere at the time of purchasing ammunition for rifles other than '22 bore, revolvers or pistols shall cause the following particulars to be endorsed upon its licence under the vendor's signature, namely:—

(a) the name, description and residence of the person who takes delivery of the articles purchased on behalf of the mess, club or association;

(b) the nature and quantity of the articles purchased; and

(c) the date of purchase.

and, if the arms or ammunition are purchased from any person other than a licensed dealer, shall also cause the particulars specified in clauses (b) and (c) to be furnished in writing to the authority who granted this licence within such period as may be prescribed by that authority for this purpose.

4. The mess, club or association shall not purchase ammunition in excess of the maximum which may from time to time be fixed by the local Government.

5. This mess, club or association shall forthwith give information at the nearest police-station of the loss or theft of any arms covered by the licence.

6. The licence does not authorise any member of the mess, club or association to keep Government arms or ammunition.

*Explanation.*—For the purposes of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government;

(b) "Government ammunition" means ammunition manufactured in a Government factory or prepared for and supplied to Government.

7. The local Government may require any firearm or ammunition possessed by the mess, club or association to be registered in such manner as the Local Government thinks fit.

8. The authority granting the licence has the right to inquire at any time during the currency of the licence whether the weapons for which it has been granted are still in the possession of the mess, club or association and to require the production of such weapons for the purposes of such enquiry.





*Form of renewal of the Licence.*

Date and year.	Date on which renewed licence expires.	Signature.
		<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; border-radius: 50%; width: 60px; height: 60px; margin-right: 10px; display: flex; align-items: center; justify-content: center;">Seal.</div> <div> <u>Commissioner of Police</u>——  <u>Deputy Commissioner of Police.</u>  <u>Assistant Commissioner of Police.</u>  <u>District Magistrate</u>——District </div> </div> <div style="margin-top: 20px;"> <u>Sub-Divisional Magistrate</u>——  <u>Sub-division.</u>  <u>District.</u> </div>

*Conditions.*

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules 1924.

2. It covers only the persons named, and the arms and ammunition described therein and such retainers (if any) as may be entered in column 5.

3. This licence is valid to the extent specified in column 10, subject in the case of a licence having effect outside the Province in which it is granted or renewed to any restrictions which may be imposed by any general or special order of a local Government in respect of the territories administered by it or subject to its control.

4. The licensee or any retainer acting under this licence shall not go armed with sport any arms covered thereby otherwise than in good faith for the purpose of protection; and, save where he is specially authorized in this behalf, in any Presidency town or display Rangoon, by the Commissioner of Police, or in any other place, by the Assistant Commissioner District Magistrate or a Sub-divisional Magistrate, he shall not take any such arms to a fair, religious procession or other public assemblage. *or in arms*

5. The licensee, at the time of purchasing any new arms, in the N. W. F. P. *or in arms* at the time of purchasing ammunition, and elsewhere at the time of purchasing ammunition for rifles other than .22 bore, revolvers and pistols shall cause the following particulars to be endorsed upon his licence under the vendor's signature, namely:—

- (a) the name, description and residence of the person who takes delivery of the articles purchased;
- (b) the nature and quantity of the articles purchased; and
- (c) the date of purchase;

and if the arms or ammunition are purchased from any person other than a licensed dealer shall also cause the particulars specified in clauses (b) and (c) to be furnished in writing to the authority who granted this licence within such period as may be prescribed for this purpose by such authority.

6. He shall not purchase ammunition for rifles other than .22 bore, revolvers and pistols in excess of the maximum which may from time to time be fixed by the local Government.

7. He shall forthwith give information at the nearest police-station of the loss or theft of any arms covered by the licence

8. He shall not possess Government arms and ammunition.

Explanation—For the purposes of this condition—

"Government arms" means a firearm or other weapon which is the property

in Schedule VIII to the said Rules, for in 11 of each of Forms XVI and XVII the following condition shall be substituted,

1. The licensee shall report any change of his permanent residence either to the authority who granted him the licence, or, in the event of the licence having been renewed by some other authority on a previous occasion of change of permanent residence, then to such authority. In case of any change of residence, whether permanent or temporary, he may, at his option, apply to the nearest licensing authority for renewal of this licence should it be necessary."

Form (Note No F 11—XXIII 27 dated

for arms and ammunition and for

in 33, page 105)

Serial number	Name, description of person under licence	Name and address of licensee	Name and residence of licensee	Brief description of each weapon, details, e.g. gauging, register no.	Quantity and description of each kind of ammunition	Extent of validity of licence, e.g., through India, province or district	Date on which the licence expires or the date on which the person specified in column 2 ceases to be exempted under Schedule I (1) (a) whichever is earlier
1	2	3	4	5	6	7	8

Signature of Comr of Police, (Dy Comr, Dist Magte or Sub Dist Magte)

### Conditions

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924

2. It covers only the person named in column 3 of this licence and the arms

specified in column 7 subject in the case of arms in which it is granted or renewed to any restrictions which may be imposed by any general or special order of a Local Government in respect of the territories administered by it or subject to its control

4. This licence shall only be granted to a person nominated in that behalf and person exempted under article 1 (a) of Schedule I or granted in respect of the arms and ammunition the property of such exempted person

5. This licence may be granted or renewed for any period not exceeding one year, provided that it shall expire on the date on which the person specified in column 5 of this licence ceases to be exempted under article 1 (a) of Schedule I to these rules, where such date is prior to the date on which it would ordinarily expire

6. The licensee shall not go armed with any arms covered by this licence otherwise than in good faith for the purpose of sport, protection or display and, save where he is specially authorised in this behalf, in any Presidency-town or Rangoon in any other place, by the District Magistrate shall not take any such arms to a fair, religious

Conditions 7 to 12 and 2 footnotes are similar to those of license form XVI.

## THE INDIAN ARMS RULES. [SCHEDULE VIII]

## FORM XVII.—(See Rule 34.)

Fee for each weapon—ONE RUPEE.

Temporary licence for the possession of arms and going armed during the period occupied in journeying from the port or other place of arrival in British India to place of destination.

Name and description of licensee.	ARMS OR AMMUNITION THAT LICENSEE IS ENTITLED TO POSSESS.		Place of destination	Period for which the license is valid,
	Brief description of each weapon.	Quantity and description of each kind of ammunition.		
1	2	3	4	5

The \_\_\_\_\_ of \_\_\_\_\_ 19 .



Date on which copy is sent to the  
 Commissioner of Police \_\_\_\_\_  
 District Magistrate \_\_\_\_\_ district  
 Political Officer of \_\_\_\_\_ State

The \_\_\_\_\_ of \_\_\_\_\_ 19 .

Signature.  
 Commissioner of Police \_\_\_\_\_  
 District Magistrate \_\_\_\_\_ District

## Conditions.

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924.

2. It covers only the persons named, and the arms and ammunition, described therein.

3. The licensee shall not, unless specially empowered in this behalf by the authority granting the licence, go armed to a fair, religious procession or other public assemblage.

4. The licensee shall not go armed with Government arms or ammunition.

*Explanation* :—For the purposes of this condition—

“Government arm” means a firearm or other weapon which is the property of Government; and

“Government ammunition” means ammunition manufactured in any Government factory or prepared for and supplied to the Government.

5. Condition 4 may be cancelled by the authority granting the licence if empowered to do so by the local Government and an endorsement added showing the Government arms and ammunition which the licensee is authorised to possess.

6. The licensee shall, on arrival at his destination, if such place is situated in British India or Berar, forthwith apply to the nearest licensing authority for a licence in Form XIV or Form XVI in respect of the arms and ammunition described herein and shall at the same time deliver this licence in original to that authority.

NOTE(1).—Any breach of the conditions of this licence is punishable with imprisonment for a term which may extend to six months or to fine which may extend to Rs. 500 or with both. (Section 21 of the Indian Arms Act, 1878.)

NOTE (2).—As Note (2) on page 174,

## FORM XVIII —[See Rule 35]

## FEE OF ALL FEE

*Licence for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to human beings or cattle.*

Name, description and residence of licensee	ARMS AND AMMUNITION		Place or area for which the licence is granted	Specification of the wild beasts which may be destroyed under this licence	Period for which the licence is valid	Title and residence of Magistrate to whom the licence and weapon must be shown between the 15th November and the 31st December
	Brief description of each weapon with details e.g. registered No. & other distinguishing marks	Quantity & description of each kind of ammunition				
1	2	3	4	5	6	7

(Signature)

The \_\_\_\_\_ of \_\_\_\_\_ 19 \_\_\_\_\_

Seal

District Magistrate of the \_\_\_\_\_ district  
Sub Divisional Magistrate—\_\_\_\_\_ district

## Conditions

1 This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules 1924

2 Once every year between the 15th November and the 31st December, the licensee shall produce this licence and every weapon covered thereby before the Magistrate referred to in column 7

3 He shall not go armed with any arms covered by this licence otherwise than in good faith for the destruction of wild animals which do injury to human beings or cattle, nor shall he take any such arms to a fair, religious procession or other public assemblage, or to any considerable distance beyond the place or area entered in column 4

4 He shall forthwith give information at the nearest police station of the loss or theft of any arms covered by the licence

5 He shall not keep Government arms or ammunition

*Explanation*—For the purposes of this condition—

(a) 'Government arm' means a firearm or other weapon which is the property of the Government and

(b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government

6 Condition 5 may be cancelled by the authority granting the licence, if empowered to do so by the local Government, and endorsement added showing the Government arms and ammunition which the licensee is entitled to possess

7 The licensee shall not purchase rifle, revolver or pistol ammunition in excess of the maximum which may from time to time be fixed by the local Government

8 Similar to condition 5 of Licence Form XVI, page 177, ante

9 Correspond to " 9 " XIX, , 182, post

10 , , 10 " " XIX, , " "

NOTES (1), (2) and (3) as of Licence Form XIX,

## FORM XIX.—(See Rule 36.)

FREE OF ALL FEE.

*Licence for the possession of arms and ammunition and for going armed for the destruction of wild animals doing injury to crops or cattle.*

Name, description and residence of licensee.	Name and description of any member of the licensee's family, or servant employed to watch crops or cattle residing with him, by whom the arms covered by this licence may be also used.	ARMS AND AMMUNITION.		Place or area within which the licence is valid.	Period for which the licence is valid. * Vide correction posted on 6.177
		Brief description of each weapon with details e.g., registered number and other distinguishing marks.	Quantity and description of each kind of ammunition.		
1	2	3	4	5	6
					From----- To-----

The \_\_\_\_\_ of \_\_\_\_\_ 19 \_\_\_\_ District Magistrate of the \_\_\_\_\_ district.  
Sub-divisional Magistrate \_\_\_\_\_ district.

*Conditions.*

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of Indian Arms Rules, 1924.

2. The licensee shall not go armed with any arms covered by this licence otherwise than in good faith for the destruction or driving away of wild animals which do injury to the crops or cattle situated in the area specified in the licence.

3. He shall not use any arms covered by this licence otherwise than in the place or area in which the licence is valid.

4. He shall not lend any arms or ammunition covered by this licence to any person, other than a member of his family, or servant who may be employed by him, to protect the crops or cattle situated in the area specified in the licence and who is mentioned in column 2 of the licence.

5. He shall forthwith give information at the nearest police-station of the loss or theft of any arms covered by the licence.

6. The licensee shall not keep Government arms or ammunition.

*Explanation.*—For the purposes of this condition—

(a) "Government arm" means a firearm or other weapon which is the property of the Government; and

(b) "Government ammunition" means ammunition manufactured in any Government factory, or prepared for and supplied to Government.

7. Condition 6 may be cancelled by the authority granting the licence if empowered to do so by the local Government, and an endorsement added showing the Government arms and ammunition which the licensee is entitled to possess.

8. The licensee shall not purchase rifle, revolver or pistol ammunition in excess of the maximum which may from time to time be fixed by the Local Government.

9. This licence shall be void if the licensee commits a breach of any of the above conditions or if the licensee dies, or if any weapon covered thereby—

(i) is sold,

(ii) is attached in execution of a decree.

10. The authority granting or renewing the licence has the right to inquire at any time during the currency of the licence whether any weapon for which it has been granted is still in the possession of the licensee, and to require production of the weapon for the purposes of such inquiry.

NOTE (1).—A licence in this Form may be granted for any period not exceeding three years.

NOTE (2).—Any breach of the conditions of this licence is punishable with imprisonment for a term which may extend to six months or with fine which may extend to Rs. 500, or with both, (Section 21 of the Indian Arms Act, 1878).

NOTE (3).—As Note (2) on page 174.

## FORM XX—(See rule 37.)

## FEES—

(a) when granted under rule 37 (1) (a) and (b), FOUR ANNAS FOR EACH WEAPON.

(ii) when granted under rule 37 (1) (c), FREE OF ALL FEE

EXCEPTION.—A fee of Rs 10 is charged for a licence in this Form in respect of a pistol or a revolver in all provinces other than the North West Frontier Province.

*Licence for going armed on a journey in or through any Province.*

Name, description and residence of licensee and agent (if any).	ARMS OR AMMUNITION THAT LICENSEE IS ENTITLED TO CARRY		RETAINERS (IF ANY) COVERED BY THE LICENCE.				Place of departure, route and place of destination	Period for which the journey is likely to occupy	Period for which the licence is valid.	
	Brief description of each weapon with details of regd number & other distinguishing marks	Quantity and description of each kind of ammunition	Name of retainer	Name of retainer's father.	Address of retainer	Arms or ammunition that retainer is entitled to carry				
						Description				Quantity
1	2	3	4	5	6	7	8	9	10	11
										From the— to the— 10 .

(Signature)

The—of—19 .

Seal.

 Commissioner of Police—  
 District Magistrate of the—district.  
 Sub divisional Magistrate,—district.  
 Political Officer for the—State.

## Conditions

1. This licence is granted subject to all the provisions of the Indian Arms Act, 1878, and of the Indian Arms Rules, 1924

2. It covers only the persons named, and the arms and ammunition described therein and such retainers (if any) as may be entered in column 4

licence shall not, unless  
ence, go armed
 of the Government and  
 the property  
 In any  
 ion of

 NOTE(1) —Any breach of  
 imprisonment for a term which  
 extend to Rs. 500 or with both.

NOTE (2).—As Note (2) on page 174.

 punished  
 fine  
 1924

## APPENDIX TO SCHEDULE IV.

Tahsil.	Tract.	Village.
Mansehra	Kagan ...	Sangar, Ghanual, Hangrai, Bela Kawai, Bhunja, Jared, Manur, Phagal, Kamalbun, Bhutandes, Kagan.
	Bhogarmang ...	Bhogarmang, Ilahimang, Chitta Batta, Bakki, Rathi, Kumber Doga, Judrasi, Giran Thali, Buzu Bela, Jhaila, Kanog, Bavi Bahak, Jahauri, Serian Kumashian, Kibar Sacha Sacha Kalan, Sacha Khurd, Kalas Richari, Banda Banda Chinsuch Pinjal, Jachha, Jabbar.
	Kounsh ...	Icharian, Tarkual, Koth Tarli, Kund Tarla, Karmang Tarla, Jalgalli, Karmang Utta, Gerian Amsera, Hiv, Saluna, Bai Tarli, Chunarkot, Horai Khakku, Batnal, Chalundri Saldhar, Shakura, Khan, Malkan Galli, Hilkot Sithaulsadda, Rund Utta, Shahal, Dheri, Bhalai, Malukra, Khandla, Lachimang, Nasordi, Dheri Sadulla, Sharkuli, Bahinang, Bansacha, Chapri, Bagru, Dheri Halmi, Nilban, Bhaleja.
	Balakot ...	Bhattika, Jahn, Laso Sultani, Koara, Lasso, Betseri, Sohal Mazulla, Bisian, Sohal Najafkhan, Taranns, Hassa, Baginohri, Nankot, Balakot, Guhora.
	Ghari Habibulla	Doga, Sial, Bhurj, Karnaul, Barorkot, Lunda, Ghari Habibulla, Batoro, Kashtra, Hisari, Jabbi, Gulmaira, Sakhdare, Balola, Talat, Kat Phalla.
	Shinkiari ...	Dharial, Tanda, Shinkiari, Bedadi, Shanai, Dhudial, Pirda-Banda, Bajua, Inayetabad, Baffu, Guli Bagh, Haffiz Bandi Tarli, Hamshirian, Lang, Maira, Jia, Gandibian, Chitti Qatti, Teimi, Jabba, Machhipol, Mungon, Hathi Maira.
	Agror ...	Shamdhara, Mahikra, Ughi, Bazar, Mologa, Haji Kamar, Dhara, Arbora, Bandi, Ghadaur, Kathai, Nur Bandi, Chajjar Utta, Phaganda Banda, Kot, Rashida, Manchura, Tarawara, Sufaida, Khabbal Tarla, Khabbal Utta, Shahkot, Bailian, Kulakka, Kotla, Jaspat, Ghanian, Dalhauri, Bagiran, Kundra, Chulandian, Tatoli, Tarwai, Didwar, Kewal, Manewal, Dewal, Shahtut, Gul-Dheri, Pir-da-Patta, Talwari, Chokhat, Shabto, Sambalbot, Chaijri, Barchar, Bholi, Atir, Kango, Chor Kalan, Kangalli
	Bhair Kund ...	Kangri Sabr Shah, Malakufar, Muradpur, Banda Shakhan, Sherpur, Khanigan, Khakki, Nankot, Tirba, Tarta, Tirba Utta, Bharkhund Utta, Bharkund Tarta, Timarkhola, Sikandar, Sussal, Shanai, Kabmian, Giddurpur, Mari Shahwali, Mari Safdar Shah, Mari Mukarab Shah, Muswal, Nilawar, Harida Maira.
	Mansehra ...	Data, Hariala, Kuhsala, Chakia, Sufaida, Hoddo Bandi, Ghazi Kot, Pakhwal, Mansehra, Panodi-Dheri, Banar Kot, Katkai, Chitta Batta, Sundasur, Rihr, Shuttur, Arab Khan, Phagla, Utar Sisha, Mundhar, Chathar, Maira Jandali, Ghari Shah Khel, Banda Saidan, Jabri, Narbir, Pair, Khairabad.



Tahsil	Tract	Village
Mansehra	Gharian	Busnoud, Shalakk, Bhuri, Madan, Lallo Bandi, Chanya, Bai Bandi, Baldra, Shekhahad, Daib gran Jalla, Ganda, Shahcha, Balhag Tarli, Balhag Utti, Orga, Patha, Matlal, Mohian, Rathion Rehar, Husainian, Kharala, Barhali, Karer, Jung Kiar, Barat Khoari, Bishga, Morbaffa (Abbatta), Morbaffa (Bara), Nurun, Lasson, Gheal, Kik, Nanoha, Manghur, Thali, Sha Bai
	Gharian	Sial, Gramri, Bhial, Bandi Mutrach, Buzurgal, Paswal, Thathi, Chhetri, Rachhham, Sohalan Tarli Sohalan Utti, Banda Juggian Pandi, Phanna, Talhar, Sargul Shugri, Kakot, Patheri, Lalleh de Bandi, Mochi Kot, Kishna, Paiva, Kumber Bandi
	Shingri	Baian, Bandi Pir Dad Mirpur Paswal, Banda Muair Sarai Niamat Khan Sarai Dharmpani, Talhad, Chamad, Shingri, Bisala, Baraingali, Kokal, Kandal, Gajjal
Abbottabad	Kachi	Jahhi Nakkeli, Khuhala Bichha, Gul Banda, Kuthnali, Karm Bihakki, Banda Loharan, Bhat, Banda Bakhtawar, Banda Nalan, Nilor, Gurakki, Darwaza, Chinyahala Kachi, Chitti Bir Hil Soha, Nalaki, Ghanhari, Langar Amga, Kakotri, Jarl, Bhojwar
	Bahorhan	Jandakka, Bhuri, Darohar, Kosaki Bari, Kosaki Chotti, Thanna, Paswal, Sobra, Mihal, Bansari,
		Bagh
	Sherwan	Khuda Khub Hal Barkot, Bhalorah, Kular Khetar Kamhar, Gadda, Kuthalia, Bamuchhi, Chira Shoreh Bhati, Sherwan Bara, Sherwan Chotta Bicha Bara, Bicha Chotta, Dhundora, Ratta, Bandi Nikra, Kargra, Pind, Gande, Lakhala Chatta, Phabir, Sura Sher Shah, Barila Chairh, Kangar Tara, Kangar Utti, Chorgiran, Jahara, Chamatti, Beri Kharpahr, Kanda, Thali, Chitarhani
	Srikot	Srikot, Kundi, Amar Khara
	Kulal	Kirphan, Dera, Lalo Gali, Oocra, Kharkot, Tavi
	Badnak	Muradpur, Sadpur, Pind, Khan Khel, Langar, Kundanala, Soala, Kalangar, Mari, Gandaf, Ladrakki, Khara, Ghanikot, Dahn Bandi Lobal Mahara, Chantu, Haljudhal, Janyakka, Lela, Jhakar, Pasala, Jaggiran Bola, Jaggira Pan, Bana, Kargra, Kandiala, Sanda Gada, Soddoran, Gharala, Dhanaka, Kund Chamara, Dakat, Barahin, Halkulu, Thana, Chander Chahara, Baghiana, Gharlakkian, Bithara, R. L. Laffmug Bodgiran, Khari
Haripur	Torbela	Bury Kharpur, Torbela, Mohat, Dal

## 186 LOSSES, THEFTS & RECOVERIES OF FIREARMS & AMMUNITION.

1. The following instructions have been issued by the Government of India regarding the reporting of losses, thefts and recoveries of firearms and ammunition capable of being used for military purposes. (India No. 722 dated the 25th July 1913, No. F-113-23 dated the 27th November 1923 and No. F. 92-25 dated the 9th May, 1925).

2. Under Military regulations officers commanding detachments report the loss or recovery of arms, important components or ammunition to the Supdt. of Police or, if the loss or recovery takes place in a Native State, to the Political Officer. The Superintendent of Police or Political Officer, is then responsible for all further action towards the tracing and recovery of the lost or stolen articles.

3. Report should be made by Supdts. of Police and Political Officers to the Provincial Criminal Investigation Department of the loss, theft or recovery of arms, important components and ammunition coming under the following category, of which they may receive information from any source, whether military, civil or private :—

(i) Machine Guns, light automatics, grenades and articles of the Royal Air Force armaments,—

(ii) Rifles, revolvers and pistols, Government or private.

(iii) Barrels and bolts of .303 bore.

(iv) Ammunition for cannon, machine guns and high velocity rifles.

(v) High explosives whether in bulk or in made-up charges including fuses and detonators.

4. (a) Reports concerning items of the above category should be reported by telegram whenever there is *prima facie* evidence or reasonable suspicion of a recent theft. In other cases report should be made by letter. In all cases every effort must be made to include either in the initial report or in a very early continuation report the fullest possible details both for the identification of the missing arms, components or ammunition and as regards the methods and identity of the thieves.

(b) The Provincial Criminal Investigation Department on receipt of reports according to the above instructions will be responsible for the direction of suitable action for detection and recovery. If in any case there may appear grounds for suspecting the agency of professional arms thieves from the North-West Frontier, telegraphic information giving the fullest available particulars should be sent to the Assistant Intelligent Branch, Peshawar, North-West Frontier Province—(Telegraphic address—"Punishment-Peshawar.")

5. A return of all arms, etc., lost, stolen or recovered should be maintained by the Provincial C. I. Department and should be sent in annually to the Director, Intelligence Bureau.

6. All reports of losses, thefts and recoveries of arms, etc., should be published by the Provincial C. I. Departments in their *Criminal Intelligence Gazettes* or Confidential Supplements. Such reports must invariably include all details necessary to establish the identity of any particular weapon or component part.

7. When losses are sufficiently serious to be brought to the notice of the Government of India, or to rank as matter of public interest, as well as in the following cases.—

(a) When the theft appears to be the work of Ut Khels or other professional rifle thieves,

(b) When the loss appears to be the result of a breach of the custody of arms and ammunition, either in transit by rail or otherwise are.

Intimation of such losses should be telegraphed to the Director of Criminal Intelligence, Simla, by the Provincial C. I. Department and copies of all subsequent reports submitted by the Superintendent of Police should also be sent to him.

8. No report need be made under these rules in the case of the loss or theft of smooth-bore weapons or ammunition for such weapons, swords, bayonets or accoutrements. Converted Martini-Henries and Sniders are classed as smooth-bore weapons.

9. Deliberate attempts to smuggle arms and ammunition into India, by land or sea, should promptly be reported to the Director, Intelligence Bureau. Similarly the discovery of fire-arms which appear to have been deliberately smuggled into India should also be reported to the same quarter. In all instances, full particulars of the articles seized, such as the maker's name, place of manufacture, number, bore and other distinguishing marks in the case of firearms, and maker's name, bore and distinguishing marks in the case of cartridges, should be communicated at the time the report is made or as soon afterwards as possible. (Whenever a prosecution is initiated with respect to a reported case of smuggling of, or attempt to smuggle, arms and ammunition, the result should also be communicated to the Director, Intelligence Bureau.) These instructions do not affect the quarterly returns of arms and ammunition seized by the Customs, which should continue to be submitted by the C. I. Departments of Maritime provinces as at present.

### Grant of Shooting Passes or Passes for sporting purposes.

*Home Department Resolution, No 1458-84, dated the 27th September 1895*—In Resolution, No 1755-70, dated the 24th September 1879, Local Governments and Administrations were requested to instruct district officers to take every opportunity of warning Englishmen and others against entering on standing crops for sporting purposes unless they first obtained the permission of the owners to do so. The Government of India have recently had brought to their notice a case in which an European, while out shooting, caused the death of two natives—in an affray arising out of the fact that he shot peafowl in the vicinity of a village. The rules issued by the military authorities for regulating the grant of shooting passes to British soldiers provide all the safeguards that are practicable to prevent affrays between soldiers and villagers; but there are at present no orders ensuring that such warnings shall be given as may, so far as is possible, duly direct and regulate the conduct of sportsmen other than soldiers. (The Governor-General in Council accordingly desires that instructions should be issued by Local Governments and Administrations to district officers to warn sportsmen, whether Europeans or others

(1) against trespassing on standing crops without the consent of the owners, (2) against shooting peafowl, or other birds or animals which are looked upon as sacred, in the vicinity of villages or habitations, (3) against shooting domestic animals, such as dogs or pigs, and (4) generally against shooting in the immediate vicinity of villages, temples and mosques. )

*Home Department letter, No. 3476, dated the 31st December 1900.*—I am directed to forward a copy of the revised rules\* for the grant of shooting passes to British soldiers in India which have been approved by the Governor-General in Council and published in the *Gazette of India* of the 27th October 1900, and to request that the special attention of the local civil officers concerned in the administration of the rules may be drawn to them.

2. These rules are drawn up chiefly for the guidance of the military authorities, but their successful working cannot be insured without the co-operation of the civil officers. The Governor-General in Council, therefore, considers it necessary that the duties of the latter class of officers respecting this matter should be clearly laid down.

3. In the revised rules it has been provided that the Commanding Officer of a Regiment or Detachment is at once to send to the District Magistrate the substance of any report (together with a copy of the complaint, if any) that may be made by the member of a shooting party who is in charge of the party, on their return to quarters, respecting any breach of the rules, any affray with natives, or any mishap which may have occurred during the absence of the party. The Government of India consider it necessary that the District Officer also should communicate to the Commanding Officer immediate information of any breach of the rules by men under his command that may be reported to the civil authorities. Cases have come to the notice of the Governor-General in Council in which the civil authorities have omitted to make a report upon such occurrences to the Officer Commanding the Regiment, who remained in ignorance of the affair until a report was called for from Army Head-Quarters or by the Government of India, or until the police inquiry had been completed. I am to request that, to enable the Commanding Officer of a Regiment or Detachment to take suitable notice of any infringement of the shooting pass rules, orders may be issued which will insure due information being communicated by the District Officer to the local Military authorities in cases which may come to his notice.

4. The revised rule lays down that Officers Commanding Stations and Officers Commanding troops about to march will communicate with the Civil District Officer in order to ascertain (a) in what localities shooting ought to be forbidden, and (b) what animals or birds are regarded by the inhabitants as sacred or are protected by rules relating to the establishment of a close season. There is, however, more continuity in the

\*These rules have since been revised and published by the Army Department in a pamphlet form.

Civil District Offices, where the establishments, if not the officers are to a great extent permanent, than in Military Cantonments. With a view, therefore, to guarding against the provision of the rule being overlooked, I am to request that instructions may be issued to Commissioners and District Officers to the effect that on the arrival of a corps or detachment in a civil district, the District Officer shall at once certify to the Officer Commanding the corps or detachment what localities, animals and birds are forbidden for shooting purposes, either absolutely on account of the prejudices of the inhabitants, or for parts of the year in accordance with rules for close seasons. In defining tracts of country where shooting is to be allowed, the local officers should be directed to bear in mind the orders contained in Home Department Circular letter No 30-1012-1028 dated the 31st July 1883, and to take care that no tracts are included where owing to the religious prejudices of the people, the agricultural circumstances of the district, or other sufficient causes, there would be risk of danger if free permission to shoot were accorded.

5 In the circular of the 31st July 1883 referred to above, and in No 18-1230-1239, dated the 31st July 1891, Local Governments and Administrations were requested to instruct the District authorities to cause the shooting pass rules to be explained to villagers in the neighbourhood of cantonments and to warn such villagers against interfering with soldiers out shooting and using violence to them, and also against taking the law into their own hands in cases in which soldiers infringe the rules. The Governor-General in Council now directs that the substance of the revised rules, so far as they affect the villagers should be periodically notified in simple language in the villages and tracts where soldiers are in the habit of shooting and that District Officers should impress upon landlords, headmen and village police that they are expected to give their assistance in avoiding disputes with soldiers out shooting. The headmen and village police must see that soldiers conducting themselves properly are not molested, and that any complaints of misconduct are reported to the proper authorities. In cases in which notice of the probable advent of a shooting party has been sent to the District Officer under the revised rule, he should with as little delay as possible, send intimation to the headmen and village police (so far as this can be done) stating that a shooting pass has been issued and that they are to see that quarrels are avoided. Villagers should on no account take the law into their own hands, but should lodge any complaint they have to make in a legal manner.

6 In the circular from this (Home) Department, No <sup>50</sup> 9419-53 dated the 14th October 1887, the importance of conducting prompt investigation into cases of affrays between European soldiers and native villagers was inculcated, and it was desired that, on the occurrence of a serious affray, the district Magistrate should invariably either himself proceed to the place or at once depute an European Magistrate or the District Superintendent of Police in order to investigate the matter on the spot at the earliest possible time after the occurrence. I am

now to request that instructions may be issued that the investigation of a case between natives and soldiers arising out of a shooting dispute should, whenever possible, be entrusted to an English Magistrate or Police Officer not lower in rank than Assistant Superintendent, and that when such cases come into Court they should be tried by the District or Joint Magistrate. In cases which are not cognizable by the police, or where the prosecution is not undertaken by the civil authorities, the civil District Officer shall inform the Commanding Officer of the Corps or Detachment concerned to that effect, for such action as the latter may consider fit to take.

7. In conclusion, I am to say that the Government of India think it desirable that each Commissioner, District and Sub-Divisional Magistrate should be furnished with a copy of the revised rules as a separate publication.

#### THE BERAR ARMS RULES, 1924.

**Foreign and Political Department, Notification, No, 261 G dated the 31st May 1924.** In exercise of the powers conferred by sections 4, 10, 17 and 27 of the Indian Arms Act, 1878, (XI of 1878), as applied to Berar, the Governor General in Council is pleased to make the following rules:—

1. **Short title.**—(1) These rules may be called the Berar Arms Rules, 1924.

(2) They shall come into force on the 1st August 1924.

2. **Interpretation.** (1) In these rules, unless there is anything repugnant in the subject or context,—

“District Magistrate” includes in cases where the local Government so directs in respect of any district or part thereof, an Additional District Magistrate;

“Form means a Form as set out in Schedule IV; and

“the Act” means the Indian Arms Act, 1878, as applied to Berar.

(2) The General Clauses Act, 1897, as applied to Berar, shall apply for the purpose of the interpretation of these rules in like manner as it applies for the purpose of the interpretation of an Act of the Governor General in Council as applied to Berar.

#### *Application of the Act.*

3. **Exemption and exclusion.** (1) The persons and classes of persons and the arms and ammunition specified or described in Schedules I and II are respectively, exempted and excluded to the extent and subject to the conditions therein specified from the operation of prohibitions and directions contained in the Act:

Provided that the exemptions specified in Schedule I are made subject to the following conditions, namely:—

(a) they shall not be deemed to render lawful the import of arms or ammunition, save from British India, through the medium of the Post Office;

(b) **Save in the case of persons included in entry (b) entry 2 or entry 6 (e) of Schedule I to the Indian Arms Rules, 1924,** any person so exempted shall register in such manner as the local Government may prescribe any firearm or ammunition for the same in

respect of which he is exempted from the operation of any provision of the Act;

(c) every person shall, on the loss or theft of any arm in respect of which he is so exempted, forthwith report the occurrence at the nearest police station; and

(d) the Governor General in Council may, by notification in the *Gazette of India*, direct that any such exemption conferred on a class of persons shall cease to extend to any person included in that class who may be named in the notification.

(e) Any person failing to comply with any condition of exemption set out in provisions (b) and (c) to sub-rule (1) shall be deemed to have violated these rules.

4. **Extension.**—For the purposes of the definition of “military stores” in section 4 of the Act all sections of the Act, are extended throughout Berar to all lead, sulphur and saltpetre.

### *Import.*

5. (1) **Restriction upon import of cannon and certain other articles.**—A licence for the import of—

- (a) cannon,
- (b) articles designed for torpedo service,
- (c) war-rockets, or
- (d) machinery for the manufacture of arms or ammunition,

may be granted in Form I only by the Governor General in Council.

(2) A copy of every licence granted in accordance with sub-rule (1) shall forthwith be sent to the District Magistrate of the district in which the place to which the articles are consigned is situated.

6. **Restriction upon import of certain rifles.**—(1) A licensee shall not be granted for the import save from British India—

(a) of rifles of .303 or of .450 bore or of pistols or revolvers of .441, .455 or any intermediate bore or of parts of or fittings for rifles, pistols or revolvers of such bores or, save as otherwise provided by rule 28, of ammunition which can be fired from such rifles, pistols or revolvers or of appliances the object of which is the silencing of fire-arms; or

(b) save with the previous sanction of the Governor General in Council of rifles, or parts of or fittings for rifles, of any other bore; or

(c) of any arms or ammunition through the medium of the Post Office.

(2) Nothing in clause (b) of sub-rule (1) shall be deemed to limit or otherwise affect any power conferred by these rules to grant a licence for the import of rifles, or parts of or fittings for rifles which, in the opinion of the authority granting the licence, are intended in good faith for sporting purposes.

7. **Import of arms, ammunition or military stores.**—(1) Save as otherwise provided by rules 5 and 6, a licence for the import of arms, ammunition or military stores may be granted in Form II by the

District Magistrate of the district in which the place to which the articles are consigned is situated.

(2) Such a licence may be granted for the import of arms which—

(a) belong to any person who resides in a State in India and is exempted under Schedule I from the necessity of taking out a licence for going armed with, or for possessing, such arms, and—

(b) are imported solely for the purpose of repair, by the Political Officer for such State; and such licence shall also cover the re-export of such arms to the State from which they were imported.

(3) Where the arms, ammunition or stores are imported from a State in India otherwise than under sub-rule (2), a copy of the licence shall forthwith be sent to the Political Officer for such State.

(4) Where the arms, ammunition or stores are imported by road or river from elsewhere than British India, and are consigned to a district not on the frontier of Berar, a copy of the licence shall forthwith be sent to the District Magistrate of the district into which they cross such frontier; and such Magistrate may, in his discretion, require the licensee to produce them for his inspection before allowing them to be taken out of the district.

(5) (a) Where the arms, ammunition or stores are imported by road or river from British India under a licence, the importer shall deliver the licence, within six days of the arrival of the consignment at its destination, to the District Magistrate of the district in which the place of destination is situated, or such other Magistrate as the District Magistrate may appoint for this purpose.

(b) Any officer to whom a licence is delivered under clause (a) shall satisfy himself—

(i) that the arms, ammunition or military stores correspond with the description given in the licence, and

(ii) that any deficiency is properly accounted for,

and any subordinate Magistrate to whom a licence is delivered under that clause, shall forward it to the District Magistrate.

(6) Where the arms, ammunition or stores are imported by rail, a copy of the licence shall forthwith be sent by the authority granting it to the railway authorities at the place to which such arms, ammunition or stores are consigned,

8. **Import from British India.**—A certified copy of a licence to export, from British India into Berar, arms, ammunition or military stores granted under the Indian Arms Rules, 1924, shall be deemed to be a licence for import into Berar granted under these rules.

9. (1) **Scrutiny by railway authorities of consignments.**—The railway authorities to whom a copy of a licence has been sent under sub-rule (6) of rule 7 shall require the consignee to produce the original licence and shall satisfy themselves—

(a) that the arms, ammunition or stores claimed by him correspond with the description given in such licence, and



(b) that such licence is identical in substance with the copy sent to them.

(2) Where, in any case referred to in sub-rule (1)—

(a) the consignee fails to produce the original licence or,

(b) the arms, ammunition or stores claimed by him do not correspond with the description given in such licence, or

(c) the licence is not identical in substance with the copy sent to the railway authorities,

such authorities shall not deliver the consignment and shall forthwith inform the nearest Magistrate

**-10. Production and delivery of import licences—**(1) The consignee of arms, ammunition or military stores imported under a licence from elsewhere than British India shall—

(a) where the consignment crosses the frontier by road or river, produce the licence within six days of such crossing before the District Magistrate of the district into which the consignment so crosses, or before such other officer as the District Magistrate may appoint in that behalf, and

(b) in any case in which the consignment is imported by road or river, deliver the licence within six days of the arrival of such consignment at its destination to the District Magistrate of the district in which such place is situated

(2) Every officer before whom a licence is produced or to whom a licence is delivered under sub-rule (1) shall satisfy himself —

(a) that the arms, ammunition or stores correspond with the description given in the licence, and

(b) that any deficiency is properly accounted for.

#### *Export.*

**11 Export of arms, ammunition or military stores to a State in India or to any place in British India.—**(1) A licence for the export of arms, ammunition or military stores may be granted in Form III—

(a) to any place outside Berar and British India by the Governor General in Council,

(b) to any place in British India by the Magistrate of the district from which the articles are consigned,

provided that in the case of export to British India of—

(i) cannon

(ii) articles designed for torpedo service,

(iii) war-rockets, or

(iv) machinery for the manufacture of arms or ammunition.

the licence shall not be granted save by the Governor General in Council.

(2) A licence for the export by road or river of arms, ammunition or military stores to a State in India in political relations with a local Government of any part of British India may be granted

under the signature of a Secretary to such Government, or by such other officer as may be empowered by the Governor-General in Council in that behalf.

(3) Where any arms, ammunition or stores exported under a licence granted under this rule are exported to any place in British India a copy of such licence shall forthwith be sent—

(a) Where the articles are consigned to a Presidency town or Rangoon, to the Commissioner of Police ;

(b) Where they are consigned to any other place to the District Magistrate of the district in which such place is situated.

(4) Where any arms, ammunition or stores are exported to a State in India under a licence granted under this rule by any authority, other than the Political Officer for such State, a copy of such licence shall forthwith be sent to such Political Officer.

(5) Where the arms, ammunition or stores are exported by road or river to a place outside Berar and British India, a copy of the licence shall forthwith be sent to the District Magistrate of the district out of which they cross the frontier of Berar and such Magistrate may, in his discretion, require the licensee to produce them for his inspection before allowing them to leave the district.

(6) (a) Where the arms, ammunition or stores are exported to a place outside Berar and British India by rail, a copy of the licence shall forthwith be sent by the authority granting it, to the District Magistrate of the district from which the consignment is to be despatched.

(b) The District Magistrate of the district shall forthwith send a copy to the railway authorities at the place from which the consignment is to be despatched ; and the railway authorities shall not receive for despatch any case or package containing arms, ammunition or military stores unless accompanied by the original licence, and shall satisfy themselves—

(i) that the arms, ammunition or stores correspond with the description given in such licence, and

(ii) that such licence is identical in substance with the copy sent to them.

(c) Where in any case referred to in clause (b)—

(i) the case or package is not accompanied by the original licence, or

(ii) the arms, ammunition or stores contained therein do not correspond with the description given in such licence, or

(iii) the licence is not identical in substance with the copy sent to them, such authorities shall not receive the consignment for despatch, and shall forthwith inform the nearest Magistrate.

(d) Where the arms, ammunition or stores are exported by rail to any place in British India, a copy of the licence shall be attached to the way-bill or invoice, as the case may be, and telegraphic advice of every such consignment shall be sent by the railway authorities from the forwarding to the receiving station,

12 **Export to British India.**—A certified copy of a licence to import from Berar into British India arms, ammunition or military stores, granted under the Indian Arms Rules, 1924, shall be deemed to be a licence for export from Berar granted under these rules.

13 **Delivery of export licences**—(1) Where any arms, ammunition or military stores are exported by road or river, to a place outside Berar and British India, the licence shall, within six days of the arrival of the consignment in the district out of which it is to cross the frontier and before it so crosses, be delivered to the District Magistrate of such district, or to such other officer as the District Magistrate may appoint for this purpose

(2) Every officer to whom a licence is delivered under sub rule (1) shall satisfy himself—

(a) that the arms, ammunition or stores correspond with the description given in the licence, and

(b) that any deficiency is properly accounted for

#### *Transport*

14 **Prohibition of transport of arms, ammunition or military stores otherwise than under licence**—(1) Save as herein otherwise provided, the transport of arms, ammunition or military stores is prohibited over the whole of Berar, except under a licence and to the extent and in the manner permitted by such licence

(2) Nothing in sub-rule (1) shall be deemed to apply —

(a) to arms and ammunition transported personally or as personal luggage in reasonable quantities for his own use by any person lawfully entitled to possess arms or go armed, or

(b) to arms, ammunition or military stores which are covered by a licence for their export or import and are being transported by a licensed dealer in accordance with such licence from the place of despatch in Berar to the place where they cross the frontier of Berar or from the place of import in Berar to the place of destination in Berar, or

(c) to arms, ammunition or military stores transported—

(i) by any person licensed to possess such articles or exempted from the liability to obtain such licence, where such articles are transported in reasonable quantities for his own use from premises of a licensed-dealer, or are transported for purposes of examination or repair to or from any such premises or are transported to any other person so licensed or exempted as aforesaid

(ii) by a licensed dealer, where such articles are transported in a case or package legibly addressed to such a person as is referred to in sub clause (i), in compliance with an order given by such person for the supply of such articles in reasonable quantities for his own use.

15 **Restriction upon transport of cannon and certain other articles.**—(1) A licence for the transport of—

(a) cannon,

(b) articles designed for torpedo service,

(c) war-rockets, or

(d) machinery for the manufacture of arms or ammunition, may be granted in Form I only by the Governor General in Council.

(2) A copy of every licence granted in accordance with sub-rule (1) shall forthwith be sent to the District Magistrate of the district in which the place to which the articles are consigned is situated.

**16. Transport of arms ammunition or military stores.—**(1) Save as otherwise provided by rule 15 a licence for the transport of arms, ammunition or military stores may be granted in Form IV by the District Magistrate of the district in which the place from which the articles are consigned is situated.

(2) A copy of every licence granted under sub-rule (1) for transport beyond the local limits of the authority of the officer granting it shall forthwith be sent to the District Magistrate of the district in which the place to which the articles are consigned is situated.

(3) A copy of every licence granted under sub-rule (1) by a District Magistrate for transport within the limits of his district shall forthwith be sent to the subordinate Magistrate (if any) having authority at the place to which the arms, ammunition or stores are consigned.

(4) Where the arms, ammunition or stores are transported by rail, a copy of the licence shall be attached to the way-bill or invoice, as the case may be, and telegraphic advice of every such consignment shall be sent by the railway authorities from the forwarding to the receiving station; and the consignment shall not be taken from the railway premises, unless the railway police, or, if there are no railway police, the railway authorities, have satisfied themselves that the arms, ammunition or stores correspond with the description given in the licence.

**17. Delivery of transport licences.—**(1) The consignee of any arms, ammunition or military stores transported under a licence shall deliver the licence within six days of the arrival of the consignment at its destination to the District Magistrate of the district in which the place of destination is situated, or to such other Magistrate as the District Magistrate may appoint in that behalf.

(2) Any officer to whom a licence is delivered under sub-rule (1) shall satisfy himself—

(a) that the arms, ammunition or military stores correspond with the description given in the licence, and

(b) that any deficiency is properly accounted for,

and any subordinate Magistrate, to whom a licence is delivered under that sub-rule, shall forward it to the District Magistrate.

#### *Manufacture and Sale.*

**18. Manufacture, conversion, sale and keeping for sale of arms, ammunition or military stores.—**(1) A licence—

(a) in form V. to manufacture, convert, sell or keep for sale, or

(b) in Form VI to sell and keep for sale,

any arms, ammunition or military stores may, save as otherwise provided by sub-rule (2), be granted in any place by the district Magistrate.

(2) A licence—

(a) in Form VII to manufacture, convert, sell or keep for sale, or

(b) in Form VIII to sell or keep for sale,

breech-loading rifles, parts of breech-loading rifles, rifle ammunition or military stores for rifles, shall be granted only by the Local Government

(3) The Local Government may, by licence granted by it under this rule, authorise selected dealers to sell and keep for sale a specified amount of ammunition for rifles of '303 or of '405 bore and for pistols and revolvers of '441, '455 or any intermediate bore.

Provided that the licensee shall not sell from his stock to any person who does not hold—

(a) a licence to possess such ammunition, or

(b) a licence for the export of loaded ammunition to a State in India granted by a Political Officer empowered, under sub rule (2) of rule II to grant licences for export to such State.

Every Magistrate and every Police Officer not below the rank of Inspector, or if the Local Government so directs, of Sub Inspector, may, within the local limits of his authority,—

(a) enter and inspect any premises in which arms, ammunition or military stores are manufactured, converted, sold, or kept for sale, and

(b) examine the stock and accounts of receipts and sales of arms, ammunition or military stores.

#### *Keeping for safe custody.*

19 **Safe custody of deposited arms**—A licence to keep for safe custody firearms and ammunition deposited by their owners for that purpose may be granted in Form IX to the holder of a licence in Form V, VI, VII or VIII by the District Magistrate or by any Sub-divisional Magistrate specially empowered by the Local Government in that behalf.

#### *Possession*

20, **Restriction upon possession of cannon and certain other articles**—(1) A licence for the possession of—

(a) cannon,

(b) articles designed for torpedo service,

(c) war-rockets, or

(d) machinery for the manufacture of arms or ammunition,

may be granted in Form I only by the Governor General in Council.

(2) A copy of every licence granted under sub-rule (1) shall forthwith be sent to the District Magistrate of the district in which the place where the articles are to be kept is situated.

**21. Possession of firearms, ammunition or military stores.**—Save as otherwise provided by rule 20, a licence for the possession only of arms, (other than pistols or revolvers), ammunition or military stores may be granted in Form X by the District Magistrate or by any Sub-divisional Magistrate specially empowered by the Local Government in that behalf.

**22. Licence for the possession and use of firearms for purposes of target practice.**—A licence for the possession and use of firearms, for the purposes of target practice by the members of any military mess or of any club or association may, with the sanction of the local Government, be granted in Form XI, in the name of the mess, club or association by the District Magistrate or by any Sub-divisional Magistrate specially empowered by the local Government in that behalf.

*Possession and going armed.*

**23. Possession of arms and ammunition and going armed for sport, protection or display.**—(1) Save as otherwise provided by rule 20 a licence for the possession of arms and ammunition in reasonable quantities and for going armed for the purposes of sport, protection or display may be granted in Form XII by the District Magistrate or by any Sub-divisional Magistrate specially empowered by the local Government in that behalf.

Provided that—

(i) no licence shall be granted for the possession of rifles of '303 or '450 bore or of pistols or revolvers of '441, '455 or any intermediate bore or of ammunition for the same or for going armed with such rifles, pistols or revolvers unless such rifles, pistols or revolvers or such ammunition have been lawfully imported into Berar; and

(ii) no licence shall be granted in respect of balled ammunition for rifles, pistols or revolvers of such bores, unless the authority granting the licence is satisfied that such rifle is lawfully possessed by the owner thereof for sporting purposes, or that such pistol or revolver has been lawfully imported into Berar, as the case may be, and the amount of balled ammunition which such licensee may possess, during the period of twelve months next ensuing shall be entered in the licence.

(2) Any licence granted under sub-rule (1) may be made valid by the licencing authority throughout Berar or any specified part thereof.

**24. Temporary licence for possession of arms and for going armed by *bonafide* travellers.**—(1) Save as otherwise provided by rule 20, a certified copy of a licence granted under the Indian Arms Rules, 1924, to a *bonafide* traveller proceeding from a port of arrival in British India to his place of destination and for the possession of arms and ammunition in reasonable quantities during the period occupied in so proceeding and for going armed

during such period shall be deemed to be a licence granted under these rules for the possession of arms and ammunition and going armed in or through Berar

(2) Any officer to whom a copy of the licence referred to in sub rule (1) has been sent in accordance with the Indian Arms Rules, 1924 shall satisfy himself when necessary that the licensee has complied with condition 6 entered on the form of licence

**25 Possession of arms and ammunition, and going armed for the destruction of wild animals**—A licence for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to human beings or cattle may be granted in Form XIII by the District Magistrate or by any Sub divisional Magistrate specially empowered by the Local Government in that behalf

**26 Possession of arms and ammunition, and going armed for the protection of crops**—A licence for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to crops or cattle may be granted in Form XIV by the District Magistrate or by any Sub divisional Magistrate specially empowered by the Local Government in that behalf

Provided that such licence—

(a) shall only be granted to *bonafide* cultivators and

(b) shall be valid only for the place or area specified in the licence by the licencing officer

**27 Going armed on a journey**—(1) A licence for going armed on a journey in or through Berar may be granted in Form XV by the District Magistrate or by any Sub divisional Magistrate specially empowered by the Local Government in that behalf

(2) Where a District or Sub divisional Magistrate receives an application for a licence of the nature referred to in sub rule (1) from any person who—

(a) is not resident within the local limits of his authority, or

(b) is not personally known to him,

he shall, before granting the licence ascertain—

(i) when the applicant resides in a Presidency town or Rangoon—from the Commissioner of Police,

(ii) when the applicant resides in any other place in British India or in Berar—from the District Magistrate of the district in which such place is situated, or

(iii) when the applicant resides in a State in India—from the Political Officer for such State,

whether there is any objection to the grant of the licence unless, for reasons to be recorded, he considers this precaution to be unnecessary

#### *Possession and Import or Transport*

**28 Possession by dealers of certain balled ammunition with liberty to import**—(1) A licenced dealer authorised by the Local

Government under sub-rule (3) of rule 18 to sell and keep for sale a specified amount of ball ammunition for rifles of '303 or of '450 bore and for pistols and revolvers of '441, '455 or any intermediate bore may be permitted by the District Magistrate to import such ammunition up to such amount.

(2) Where application is made under sub-rule (1) for permission to import ball ammunition, the dealer shall produce his licence and, if permission is granted, the authority granting it shall endorse on the licence the quantity of ball ammunition for which, and the date on which, such permission was granted.

*Application for, and grant of, Licences.*

29. **Previous sanction in certain cases.**—(1) A licence, having effect beyond the local limits of the authority of the officer granting it, shall not be granted—

(a) for the export of any arms, ammunition or military stores to a State in India without the previous sanction of the Political Officer for such State or to any place in British India without the previous sanction of the Magistrate of the district in which such place is situated :

Provided that the previous sanction of such Political Officer shall not be necessary in cases where the consignee is—

(i) a Ruling Prince or Chief,

(ii) a gazetted officer in civil employ or an officer holding His Majesty's Commission in His Majesty's naval, military or air forces, or

(iii) a member of the family of a Ruling Prince or Chief or a noble or an official of a State in India who has been designated in this behalf by the Local Government or Political Officer concerned.

(iv) one of the persons or a person belonging to one of the classes of persons specified in Schedule I,

and the consignment is intended for the personal use only of the consignee ; or

(b) for the export of any arms, ammunition or military stores—

(i) to a Presidency-town or Rangoon without the previous sanction of the Commissioner of Police ; or

(ii) to any other place in British India, without the previous sanction of the District Magistrate of the district in which such place is situated ; or

(c) for the transport of any arms, ammunition or military stores to any place in Berar without the previous sanction of the District Magistrate of the district in which such place is situated.

(2) A licence shall not be granted under rule 11 (1) (b) for the export of any breech-loading rifle or ball ammunition to any place in—

(a) the North-West Frontier Province, or

(b) the Rawalpindi, Dera Ghazi Khan, Mianwali or Attock District of the Punjab without the previous sanction of the Local Government.



(3) The previous sanction referred to in this rule may be obtained either—

(a) by the applicant for the licence, or,

(b) by the officer to whom application for the grant of such licence is made

(4) Where the previous sanction is sought by the officer to whom application for the grant of the licence is made, he shall send a copy of the proposed licence to the authority whose previous sanction is required, and, on receipt of the reply of such authority, he shall either grant the licence or inform the applicant that his application is refused

**30 Application for licences—**(1) Every person who wishes to obtain a licence under these rules shall apply in writing through the medium of the post office or otherwise at his option to the nearest authority empowered to grant such licence, and shall in such application furnish all such particulars as may be necessary to enable such licence to be granted

Provided that an application on behalf of a person subject to the provision of the Indian Army Act 1911, (VIII of 1911), shall be made to the authority so empowered in respect of the place where such person permanently resides

Where however, such person has his permanent home outside British India the application shall be made through his Commanding Officer to the licensing authority of the district in which he is for the time being serving

(2) Without prejudice to the generality of sub rule (1), every person applying for a licence—

(a) for the import

(b) for the export, or

(c) for the transport,

of any arms, ammunition or military stores shall specify in his application—

(i) the place of destination,

(ii) the route,

(iii) the time likely to be occupied in the journey, and

(iv) the quantity, description and price of each kind of arms, ammunition or stores in respect of which the licence is required and the purpose for which they are intended

(3) Where the grant of the licence requires the previous sanction of some other authority specified in rule 29, the application shall state whether such previous sanction has been obtained and if so, shall be supported by evidence thereof

**31 Form and language of licences—**(1) Every licence shall be granted or renewed in the appropriate Form, and subject to the conditions set forth in such Form, and, save as therein otherwise expressly provided, the arms, ammunition or military stores specified and the persons named in the licence shall alone be covered thereby

(2) Every such licence shall be written or printed in English or in the vernacular as the licensing officer may direct.

**32. Duration and renewal of licences.**—(1) Save as herein otherwise provided, every licence under these rules shall, unless previously cancelled, be in force for such period and expire on such day as, subject to any restrictions or limitations provided in the appropriate Form, the authority granting it may enter thereon.

(2) A licence for the transport of arms, ammunition or military stores shall not, save for special reasons to be recorded by the authority granting it, be granted for a period longer than twice the time likely to be occupied in the journey to the place of destination by the route indicated in the licence.

(3) Every licence may, at its expiration and subject to the same conditions (if any) as to previous sanction as would apply in the granting thereof, be renewed by the authority who granted it or by any other authority empowered to grant a licence of the description in question :

Provided as follows.

(a) licences in Form VII or Form VIII may, where the local Government so directs, be renewed by the Commissioner of the division,

(b) any Sub-divisional Magistrate may renew a licence in Form XII, and

(c) where a licence is renewed by an authority, other than the authority who granted it, the former shall forthwith inform the latter the fact of renewal and the period for which such renewal is valid.

**33. Discretion and control of authorities empowered to grant licences.**—(1) Every authority empowered to grant or renew a licence or to give his previous sanction to such grant or renewal, may in his discretion,—

(a) refuse to grant or renew such licence or to give such sanction, or

(b) refer the application for orders to the Local Government :

Provided that in any case in which such authority refuses to grant or renew a licence, the applicant for such a grant or renewal may appeal to the immediate official superior of the authority so refusing.

(2) Every such authority shall exercise all powers and perform all duties conferred or imposed by these rules, subject to the control of the executive authorities to whom he is subordinate.

**34. Obligation to produce licences.**—(1) any person who—

(a) holds a licence granted or renewed or a pass granted under these rules, or

(b) is acting under colour of such a licence or pass,

shall forthwith produce such licence or pass upon the demand of any Magistrate or of any Police officer of a rank not below that of officer in charge of a police station.

(2) Nothing in sub-rule (1) shall be deemed to limit or otherwise affect the power of any authority empowered to grant or renew

a licence, to grant or renew it upon any condition, not inconsistent with that sub-rule, with respect to the production of such licence

**35. Production of arms**—The authority by whom any licence has been granted under rule 21, 22, 23, 25, or 26 or by whom any such licence has been renewed under sub-rule (3) of rule 32 may, for the purpose of satisfying himself, that any arms covered by such licence are still in the possession of the licensee, at any time while the licence is in force, by order in writing, require the licensee to produce the arms at such time and place and for the inspection of such person as may be specified in the order.

**36 Fees payable for licences**—(1) Every licence granted or renewed under these rules shall, save as herein otherwise expressly provided, be chargeable with the fee (if any) indicated in the Form in which it is granted or renewed.

(2) The Governor General in Council may, by general or special order, grant exemption from, or reduction of, the fee payable in respect of any licence.

(3) The Local Government may, by general or special order, remit or reduce the fee payable in respect of the grant or renewal of any licence—

(a) for the import, transport or possession of sulphur in reasonable quantities proved to the satisfaction of the local Government to be required in good faith for medicinal, manufacturing or industrial purposes other than the manufacture of ammunition, or

(b) granted under rule 7, to any person for the import of any arms ammunition or military stores in reasonable quantities proved to the satisfaction of the authority granting the licence to be required in good faith for the protection of persons or property

(4) No fee shall be chargeable in respect of the grant or renewal of any licence in Form XII to any person specified in the first column of Schedule III for possession of, and going armed with, the arms and ammunition specified in the corresponding entry in the second column thereof

Provided that if application for renewal is not made within one month of the date on which the licence expires the licensing authority may in his discretion levy renewal fees at the rates specified in Form XII

**37. Fees payable for duplicates**—Where a licence granted or renewed under these rules is lost or accidentally destroyed, the authority empowered to grant such licence may grant a duplicate—

(a) where the original licence was granted without the payment of any fee, free of all fee, or

(b) in any other case, on payment of a fee of one rupee or of the fee with which the original licence was chargeable, whichever is less.

**38 Collection and refund of fees**—(1) All fees payable under rule 36 or rule 37 shall be paid by means of non judicial stamps or in cash at the option of the applicant

(2) Where a fee of not less than one rupee payable under these rules has been realised, and the application for the grant or renewal

of a licence or duplicate is refused, the value of the fee shall be refunded upon application for the same being made within two months from the date of such refusal.

*Cancellation and Savings.*

**39. Cancellation of the Berar Arms Rules, 1921.**—The Berar Arms Rules, 1921, are hereby cancelled :

Provided that all exemptions, exclusions and withdrawals made, all licences or duplicates, granted or renewed, all fees imposed, levied, remitted or reduced, and all powers conferred, by or under those rules shall, so far as they are consistent with these rules, be deemed to have been respectively made, granted, renewed, imposed, levied, remitted, reduced, or conferred hereunder.

**SCHEDULE I. PERSONS EXEMPTED.**—(See Rule 3).

The persons or classes of persons specified or described in the first column of the sub-joined table are, subject to the provisions of provisos (b) and (c) to rule 3, exempted, in respect of the arms and ammunition described in the second column, when carried or possessed (save where otherwise expressly stated) for their own personal use, from such prohibitions and directions contained in the Act as are indicated in the fourth column, subject to the provisos and restrictions entered in the third column.

THE TABLE.

Persons or classes of persons.	Arms and ammunition.	Provisions and restrictions.	Prohibitions and directions
1. All persons who in British India are exempted from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act. 1878 (XI of 1878).	Those in respect of which the persons in question are exempted in British India.	This exemption shall be subject to such conditions (if any) as may be prescribed by the local Government and may, where necessary, be of a general nature dispensing with the necessity of a fresh order on each occasion.	These contained in sections 13 to 15.
2. The Melghat Rajas and their retainers.	All except— (a) cannon ; (b) articles designed for torpedo service ; (c) war-rockets ; (d) rifles of .303 or .450 bore, and pistols or revolvers of .441, .455 or any intermediate bore (and ammunition which can be fired from the same) not lawfully imported into British India and Berar ; (e) machinery for the manufacture of arms or ammunition ; and (f) appliances the object of which is the silencing of firearms.	This exemption shall be subject to such orders as the local Government may make regarding.— (a) the number of retainers ; (b) the number and description of arms and the quantity of ammunition to be permitted in each case ; and (c) the area within which the exemption is to be allowed.	These contained in sections 8 to 10.

## SCHEDULE II—ARMS, AMMUNITION AND MILITARY STORES EXCLUDED—(See Rule 3)

The arms, ammunition and military stores described in the first column are excluded from the operation of such prohibitions and directions contained in the Act as are indicated in the second column

THE TABLE

Arms, ammunition or military stores	Prohibitions and directions
<p>All arms except—</p> <ul style="list-style-type: none"> <li>(a) cannon</li> <li>(b) firearms</li> <li>(c) air guns and air pistols,</li> <li>(d) articles designed for torpedo service</li> <li>(e) war rockets,</li> <li>(f) machinery for the manufacture of arms, and</li> <li>(g) appliances the object of which is the silencing of firearms</li> </ul> <p>Provided that the exceptions in respect of cannon firearms, air guns and air pistols shall not apply—</p> <ul style="list-style-type: none"> <li>(a) to cannon and firearms which are obsolete and unserviceable and of purely antiquarian value or which are in the possession of a regiment or military mess as trophies or curiosities or otherwise solely for purposes of ornament or display, or</li> <li>(b) toy cannon weighing less than 56 lbs and having— <ul style="list-style-type: none"> <li>(i) a calibre of less than one inch</li> <li>(ii) a length of bore of less than 24 inches, and</li> <li>(iii) the interior of the bore unrifled, or</li> </ul> </li> <li>(c) to air guns and air pistols which satisfy the following test namely, that projectiles discharged from such guns or pistols do not perforate a target 12 inches square formed by five strawboards of fool scap size each board being 3/64th of an inch thick and closely held together in a frame</li> </ul> <p>Explanation—In making and estimating the test the following conditions shall be observed, namely—</p> <ul style="list-style-type: none"> <li>(1) the air gun or pistol shall be held horizontally with the muzzle at a distance of five feet from the target,</li> <li>(2) the test shall be repeated twenty times for each class of projectile which can be discharged from the gun or pistol, and</li> <li>(3) perforation shall be deemed to be effected in a case where the projectile is a dart if the point of the dart pierces the back of the target, and in any other case if the projectile passes completely through the back of the target</li> <li>(i) Sights for rifles imported for the use of, or for sale to the persons enumerated in entry (8) of Schedule I to the Indian Arms Rules, 1924, or non commissioned officers and soldiers of His Majesty's regular forces on a written permit from the officer commanding the regiment to which they belong</li> <li>(ii) Explosives made in small quantities for the purpose of chemical experiment and not for practical use or for sale,</li> </ul> <p style="text-align: center;">and</p>	<p>All, provided that the local Government may, by notification in the local official gazette retain all or any of the prohibitions and directions contained in the Act in respect of any arms in the case of any class of persons or of any specified area</p> <p style="text-align: center;">All</p> <p>Those contained in sections 5 and 14</p>

Arms, ammunition or military stores.	Prohibitions and directions.
the following classes of explosives when intended <i>bona fide</i> for private blasting purposes:—	
(1) gunpowder in any quantity not exceeding 30 pounds,	Those contained in section 14
(2) cartridges made with gunpowder and not containing their own means of ignition and containing in all not more than 30 pounds of gunpowder.	
(3) percussion caps,	
(4) safety fuses.	
(iv) Gun-wads and wire-cartridges	Those contained in section 6
(v) All arms, ammunition and military stores covered by any licence or exemption granted in British India under the law for the time being in force relating to arms, ammunition and military stores: provided that the conditions of such licence or exemption are observed.	
(vi) Lead required in good faith for industrial and manufacturing purposes (other than manufacture of bullets and bird-shot) up to any quantity.	All
(vii) Leaden bullets and bird-shot in quantity not exceeding such limits as the local Government may fix,	All
(viii) Saltpetre,	All
(ix) Sulphur in quantities not exceeding such limits as the local Government may fix.	All

**SCHEDULE III.—PERSONS TO WHOM NO FEE IS CHARGEABLE FOR A LICENCE IN FORM XII IN RESPECT OF CERTAIN ARMS.—[ See Berar Rule 36 (4) ].**

Persons.	Arms and ammunition.
1. All persons to whom no fee is chargeable in British India for a licence in Form XVI under rule 46 (8) of the Indian Arms Rules, 1924.	Those in respect of which no fee is chargeable in British India to the persons in question.
2. Such Government servants specially designated in this behalf, who are in the opinion of the local Government required to possess arms for the adequate discharge of their duty.	Such arms and ammunition as may be prescribed by the local Government.

[Note.—There are fifteen licence forms, prescribed under rule 2, for use in Berar, and the licences in such forms are subject to all the provisions of the Indian Arms Act, as applied to Berar and the Berar Arms Rules 1924. The Forms and conditions of licences are similar, so far as applicable, to the corresponding forms, (with their conditions) in schedule VIII appended to the Indian Arms Rules, 1924.]—

**Schedule IV**

FORM No. 1. (Rules 5, 15 and 20.)—Corresponds to Form No. I of the Indian Arms Rules 1924,

FORM No. II. [Rule 7]—Corresponds to Form III of the Indian Arms Rules, 1924.

FORM No. III. [Rule 11.], Corresponds to Form VI of the Indian Arms Rules, 1924.

FORM IV. [Rule 16.], Corresponds to Form VII, of the Indian Arms Rules, 1924.

- FORM V [Rule 18 (1) (a)] Corresponds to Form IX of the Indian Arms Rules, 1924
- FORM VI [Rule 18 (1) (b)] Corresponds to Form X of the Indian Arms Rules, 1924
- FORM VII [Rule 18 (2) (a)] Corresponds to Form XI of the Indian Arms Rules 1924
- FORM VIII [Rule 18 (2) (b)] Corresponds to Form XII of the Indian Arms Rules 1924
- FORM IX [Rule 19] Corresponds to Form XIII of the Indian Arms Rules 1924
- FORM X [Rule 21] Corresponds to Form XIV of the Indian Arms Rules 1924
- FORM XI [Rule 22] Corresponds to Form XV of the Indian Arms Rules 1924
- FORM XII [Rule 23] Corresponds to Form XVI of the Indian Arms Rules 1924
- FORM XIII [Rule 25] Corresponds to Form XVIII of the Indian Arms Rules 1924
- FORM XIV [Rule 26] Corresponds to Form XIX of the Indian Arms Rules 1924
- FORM XV [Rule 27] Corresponds to Form XX of the Indian Arms Rules 1924

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THE BRITISH BALUCHISTAN ARMS RULES 1927 —

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*Foreign and Political Department Notification, No 338 G dated the 2nd June, 1927* — In exercise of the powers conferred by sections 4, 10, 17 and 27 of the Indian Arms Act 1878 (XI of 1878) in the modified form in which the said Act is in force in British Baluchistan, the Governor General in Council is pleased to make the following rules relating to arms, ammunition and military stores —

1 Short title — These rules may be called the British Baluchistan Arms Rules, 1927

2 (1) In these rules, unless there is anything repugnant in the subject or context, —

‘Chief Commissioner’ means the Chief Commissioner of British Baluchistan,

‘Form’ means a Form as set out in Schedule III, and

‘the Act’ means the Indian Arms Act, 1878 (XI of 1878), as extended to British Baluchistan

(2) The General Clauses Act, 1897 (X of 1897), as in force in British Baluchistan, shall apply for the purpose of the interpretation of these rules in like manner as it applies for the purpose of the interpretation of an Act of the Governor General in Council

*Application of the Act*

3 (1) The persons and classes of persons and the arms, ammunition and military stores, specified or described in Schedules I and II are, respectively, exempted and excluded to the extent and subject to the conditions therein specified from the operation of the prohibitions and directions contained in the Act

Provided that the exemptions specified in Schedule I are made subject to the following conditions, namely —

(a) they shall not be deemed to render lawful the import of arms, ammunition or military stores through the medium of the Post Office,

(b) any person so exempted may be required, by any general or special order in writing of the Chief Commissioner, to register in such manner, as may be specified in the order, any firearm or ammunition for the same in respect of which he is exempted from the operation of any provision of the Act ;

(c) every person shall, on the loss or theft of any arm in respect of which he is so exempted, forthwith report the occurrence to the nearest police-station ; and

(d) the Governor General in Council may, by notification in the *Gazette of India*, direct that any such exemption conferred on a class of persons shall cease to extend to any person included in that class who may be named in the notification.

(2) Any person failing to comply with any condition of exemption set out in provisos (b) and (c) to sub-rule (1) shall be deemed to have violated these rules.

4. **Extension.**—For the purposes of the definition of “military stores” in section 4 of the Act, all sections of the Act are extended throughout British Baluchistan to all lead, sulphur and saltpetre.

### *Import.*

#### 5. **Restriction upon import of cannon and certain other articles.**

(1) A licence for the import of—

(a) cannon,

(b) articles designed for torpedo service,

(c) war-rockets, or

(d) machinery for the manufacture of arms or ammunition,

may be granted in Form I only by the Governor General in Council.

(2) A copy of every licence granted in accordance with sub-rule (1) shall forthwith be sent to the District Magistrate of the district in which the place of destination specified in the licence is situated.

#### 6. **Restriction upon grant of import licences in certain cases.**—(1) A licence shall not be granted for the import—

(a) of rifles of .303 bore or of .450 bore, or of pistols or revolvers of .441, .455 or any intermediate bore or of parts of or fittings for rifles, pistols or revolvers of such bores, or, save as otherwise provided by rule 22, of ammunition which can be fired from such rifles, pistols or revolvers, or of appliances the object of which is the silencing of fire-arms ; or

(b) save with the previous sanction of the Governor General in Council, of rifles, or parts of, or fittings for, rifles, of any other bore ; or

(c) of any arms or ammunition through the medium of the Post Office.

(2) Nothing in clause (b) of sub-rule (1) shall be deemed to limit or otherwise affect any power conferred by these rules to grant a licence for the import of rifles, or parts of or fittings for rifles which,



in the opinion of the authority granting the licence, are intended in good faith for sporting purposes.

**7. Import of arms, ammunition and military stores.**—(1) Save as otherwise provided by rule 5 and 6, a licence for the import into British Baluchistan of arms, ammunition or military stores may be granted in Form II by the District Magistrate of the district to which such arms, ammunition or military stores are consigned.

(2) Where the arms, ammunition or stores are imported from a State in India, a copy of the licence shall forthwith be sent to the Political Officer for such State

(3) Where the arms, ammunition or stores are imported by road, and consigned to a district other than a frontier district, a copy of the licence shall forthwith be sent to the District Magistrate of the district into which they cross the frontier, and such Magistrate may, in his discretion, require the licensee to produce them for his inspection before allowing them to be taken out of the district.

(4) Where the arms, ammunition or stores are imported by rail, a copy of the licence shall forthwith be sent by the authority granting it to the railway authorities at the place to which such arms, ammunition or stores are consigned.

**8. Scrutiny by railway authorities of consignments**—(1) The railway authorities to whom a copy of a licence has been sent under sub-rule (4) of rule 7 shall require the consignee to produce the original licence and shall satisfy themselves—

(a) that the arms, ammunition or stores claimed by him correspond with the description given in such licence, and

(b) that such licence is identical in substance with the copy sent to them.

(2) Where in any case referred to in sub-rule (1)—

(a) the consignee fails to produce the original licence, or

(b) the arms, ammunition or stores claimed by him do not correspond with the description given in such licence, or

(c) the licence is not identical in substance with the copy sent to the railway authorities,

such authorities shall not deliver the consignment, and shall forthwith inform the nearest Magistrate

**9. Production and delivery of import licences.**—(1) The consignee of arms, ammunition or military stores imported under a licence from elsewhere than British India shall—

(a) within six days of the articles reaching their destination, deliver the licence to the Magistrate of the district in which the place of destination is situated, and

(b) in any case in which the consignment crosses the frontier by road, produce the licence, within six days of such crossing, before the District Magistrate of the district into which the consignment so crosses, or before such other officer as the District Magistrate may appoint in that behalf.

(2) Every officer before whom a licence is produced or to whom a licence is delivered under sub-rule (1) shall satisfy himself—

(a) that the arms, ammunition or stores correspond with the description given in the licence, and

(b) that any deficiency is properly accounted for.

*Export.*

**10. Export of arms, ammunition or military stores.**—(1) A licence for the export of arms, ammunition or military stores to any place beyond the frontier of British Baluchistan may be granted in Form III—

(a) by the Governor General in Council, or

(b) by any other officer specially empowered by the Governor General in Council in this behalf.

(2) Where any arms, ammunition or stores exported under a licence granted under this rule are exported to a State in India, a copy of such licence shall forthwith be sent to the Political Officer for such State.

(3) Where the arms, ammunition or stores are exported by road, a copy of the licence shall forthwith be sent to the District Magistrate of the district out of which they cross the frontier, and such Magistrate may in his discretion require the licensee to produce them for his inspection before allowing them to leave the district.

(4) Where the arms, ammunition or stores are exported by rail—

(a) a copy of the licence shall forthwith be sent by the authority granting it to the District Magistrate of the district from which the consignment is to be despatched.

(b) that District Magistrate shall forthwith send a copy to the railway authorities at the place from which the consignment is to be despatched, and the railway authorities shall not receive for despatch any case or package containing arms, ammunition or stores unless accompanied by the original licence, and shall satisfy themselves—

(i) that the arms, ammunition or stores correspond with the description given in such licence, and

(ii) that such licence is identical in substance with the copy sent to them,

(c) where in any case referred to in sub-rule (4)—

(i) the case or package is not accompanied by the original licence, or

(ii) the arms, ammunition or stores contained therein do not correspond with the description given in such licence, or

(iii) the licence is not identical in substance with the copy sent to them,

such authorities shall not receive the consignment for despatch, and shall forthwith inform the nearest Magistrate.

**11. Delivery of export licences.**—(1) Where any arms, ammunition or military stores are exported by road, the licence shall,

within six days of the arrival of the consignment in the district out of which it is to cross the frontier and before it so crosses, be delivered to the District Magistrate of such district or to such other officer as the District Magistrate may appoint for this purpose.

(2) Every officer to whom a licence is delivered under sub-rule (1) shall satisfy himself—

(a) that the arms, ammunition or stores correspond with the description given in the licence, and

(b) that any deficiency is properly accounted for.

### *Transport.*

**12 Prohibition of transport of arms, ammunition or military stores otherwise than under licence.**—(1) Save as herein otherwise provided, the transport of arms, ammunition or military stores is prohibited over the whole of British Baluchistan except under a licence and to the extent and in the manner permitted by such licence.

(2) Nothing in sub-rule (1) shall be deemed to apply—

(a) to arms and ammunition transported personally or as personal luggage in reasonable quantities for his own use by any person lawfully entitled to possess arms or go armed, or subject to the provisions of rule 23.

(b) to arms, ammunition or military stores which are covered by a licence for their import or export and are being transported by a licensed dealer in accordance with such licence—

(i) from the place of import to the place of destination in British Baluchistan, or

(ii) from the place of despatch in British Baluchistan to the place of export ;

(c) to arms, ammunition or military stores transported—

(i) by any person licensed to possess such articles or exempted from the liability to obtain such licence, where such articles are transported in reasonable quantities for his own use from the premises of a licensed dealer or are transported for purposes of examination or repair to or from any such premises or are transported to any other person so licensed or exempted as aforesaid

(ii) by a licensed dealer where such articles are transported in a case or package legibly addressed to such a person as is referred to in sub-clause (i), in compliance with an order given by such person for the supply of such articles in reasonable quantities for his own use

**13 Restriction upon transport of cannon and certain other articles**—(1) A licence for the transport of—

(a) cannon,

(b) articles designed for torpedo service,

(c) war-rockets, or

(d) machinery for the manufacture of arms and ammunition, may be granted in Form I only by the Governor General in Council.

(2) A copy of every licence granted in accordance with sub-rule (1) shall forthwith be sent to the District Magistrate of the district in which the place to which the articles are consigned is situated.

**14. Transport of arms, ammunition or military stores.—**(1) Save as otherwise provided by rule 13, and subject to the provisions of sub-rule (2) of rule 26, a licence for the transport of arms, ammunition or military stores may be granted in Form IV by the District Magistrate of the district in which the place from which they are consigned is situated.

(2) A copy of every licence granted under sub-rule (1) for transport to a place beyond the local limits of the authority of the officer granting it shall forthwith be sent to the District Magistrate of the district in which such place is situated.

(3) A copy of every licence granted under sub-rule (1) by a District Magistrate for transport within the limits of his district shall forthwith be sent to the subordinate Magistrate, if any, having authority at the place to which the arms, ammunition or stores are consigned.

(4) Where the arms, ammunition or stores are transported by rail, a copy of the licence shall be attached to the way-bill or invoice as the case may be, and telegraphic advice of every such consignment shall be sent by the railway authorities from the forwarding to the receiving station; and the consignment shall not be taken from the railway premises until the railway police, or if there are no railway police, the railway authorities, have satisfied themselves that the arms, ammunition or stores correspond with the description given in the licence.

**15. Delivery of transport licence.—**(1) The consignee of any arms, ammunition or military stores transported under a licence shall deliver the licence, within six days of the arrival of the consignment at its destination—

(a) Where the licence has been granted by the District Magistrate of a district for transport to a place within the local limits of such district, and there is a subordinate Magistrate having authority at such place, to such subordinate Magistrate, or

(b) in all other cases, to the District Magistrate of the district in which the place of destination is situated, or to such other Magistrate as the District Magistrate may appoint in that behalf.

(2) Any officer to whom a licence is delivered under sub-rule (1) shall satisfy himself—

(a) that the arms, ammunition or stores correspond with the description given in the licence, and

(b) that any deficiency is properly accounted for. \*

and any subordinate Magistrate, to whom a licence is delivered under clause (a) of sub-rule (1), shall forward it to the District Magistrate.

*Manufacture and Sale*

16 **Manufacture, conversion, sale and keeping for sale of arms, ammunition or military stores—**(1) A licence—

(a) in Form V to manufacture, convert, sell or keep for sale, or

(b) in Form VI to sell and keep for sale, any arms, ammunition or military stores may, save as otherwise provided by sub-rule (2), be granted in any place by the District Magistrate.

(2) Save as provided by sub rule (4), a licence—

(a) in Form VII to manufacture, convert, sell or keep for sale, or

(b) in Form VIII to sell or keep for sale, breech-loading rifles parts of breech-loading rifles, rifle ammunition or military stores for rifles shall be granted only by the Chief Commissioner

(3) The Chief Commissioner may by licence granted by him under sub-rule (2), authorise selected dealers to sell and keep for sale a specified amount of ammunition for rifles of 303 or 450 bore or of pistols and revolvers of 441, 455 or any intermediate bore

Provided that the licensee shall not sell from his stock to any person who does not hold—

(a) a licence to possess such ammunition, or

(b) a licence for the export of ball'd ammunition to a State in India granted by a Political Officer empowered to grant licences for export to such State.

(4) A licence in Form IX for the sale of rifled fire-arms, or of ball'd ammunition for rifled fire-arms, which the vendor lawfully possesses for his own private use, may be granted by the District Magistrate

(5) Every Magistrate and every Police Officer not below the rank of Inspector, or, if the Chief Commissioner so directs, of Sub-Inspector, may, within the local limits of his authority—

(a) enter and inspect any premises in which arms, ammunition or military stores, including sulphur, are manufactured, converted, sold or kept for sale, and,

(b) examine the stock and accounts of receipts and sales of arms, ammunition or military stores.

*Keeping for safe custody*

17. A licence to keep for safe custody firearms and ammunition deposited by their owners for that purpose may be granted in Form X to the holder of a licence in Form V, VI, VII or VIII by the District Magistrate or by any Sub-Divisional Magistrate specially empowered by the Chief Commissioner in that behalf.

*Possession*

18. **Restriction upon possession of cannon and certain other articles—**(1) A licence for the possession of—

(a) cannon,

(b) articles designed for torpedo service,

(c) war rockets, or

(d) machinery for the manufacture of arms or ammunition, may be granted in Form I only by the Governor-General in Council.

(2) A copy of every licence, granted in accordance with sub-rule (1), shall forthwith be sent to the district Magistrate of the place where the articles are to be kept.

19. **Possession of fire-arms, ammunition or military stores.**—Save as otherwise provided by rule 18, a licence for the possession only of arms (other than pistols or revolvers), ammunition or military stores may be granted in Form XI by the District Magistrate.

*Possession and going armed.*

20. **Possession of arms and ammunition and going armed for sport, protection or display.**—(1) Save as otherwise provided by rule 18, a licence for the possession of arms and ammunition in reasonable quantities, and for going armed for the purposes of sport, protection or display, may be granted in Form XII—

(a) by the District Magistrate, or

(b) in the case of a person residing in the Kalat and Las Bela States and their dependencies by the Political Agent, Kalat :

Provided that—

(i) no licence shall be granted for the possession of rifles of '303 or '450 bore, or of pistols or revolvers of '441, '455 or any intermediate bore or ammunition for the same, or for going armed with such rifles, pistols or revolvers unless such rifles, pistols or revolvers or such ammunition have been lawfully imported into British India ;

(ii) no licence shall be granted in respect of ball'd ammunition for rifles, pistols or revolvers of such bores, unless the authority granting the licence is satisfied that such rifle is lawfully possessed by the owner thereof for sporting purposes, or that such pistol or revolver has been lawfully imported into British India, as the case may be, and the amount of ball'd ammunition which such licensee may possess during the period of twelve months next ensuing shall be entered in the licence.

(2) A licence granted under sub-rule (1) shall ordinarily be valid only in the town or district in which it was granted.

Provided that any such licence, may, on countersignature by the Secretary to the Chief Commissioner, be made valid in such divisions or districts within British Baluchistan as the countersigning officer may specify.

(3) A licence granted under rule 33 of the Indian Arms Rules, 1924, shall be deemed, subject to such conditions and restrictions as the Chief Commissioner may think fit to impose in each case, to have been granted under this rule.

21. **Going armed on a journey.**—(1) A licence for going armed on a journey in British Baluchistan may be granted in Form XIII—

(a) by the District Magistrate of the district in which the journey will be commenced, or

(b) in the case of a person residing in the Kalat and Las Bela States and their dependencies, by the Political Agent, Kalat

(2) Where a district Magistrate receives an application for a licence of the nature referred to in sub-rule (1) from any person who is not resident within the local limits of his authority, he shall before granting the licence, ascertain—

(i) when the applicant resides in any Presidency town or Rangoon, from the Commissioner of Police,

(ii) when the applicant resides in any other place in British India (including British Baluchistan or Berar or the Baluchistan Agency Territories) from the District Magistrate of the district in which such place is situated, or

(iii) when the applicant resides in a State in India, from the Political Officer for such State,

whether there is any objection to the grant of the licence, unless, for reasons to be recorded, he considers this precaution to be unnecessary.

(3) A licence granted under rule 37 of the Indian Arms Rules, 1924, shall be deemed, subject to such conditions and restrictions as the Chief Commissioner may think fit to impose in each case, to have been granted under this rule.

#### *Possession and Import or Transport*

**22. Possession by dealers of certain ammunition with liberty to import—**(1) A licensed dealer authorized by the Chief Commissioner under sub-rule (3) of rule 16, to sell and keep for sale a specified amount of ball ammunition for rifles of 303 or 450 bore and for pistols and revolvers of 441, 455 or any intermediate bore may be permitted by the District Magistrate to import or transport such ammunition up to such amount.

(2) Where application is made under sub rule (1) for permission to import or transport ball ammunition, the dealer shall produce his licence, and, if permission is granted, the authority granting it shall endorse on the licence the quantity of ball ammunition for which, and the date on which, such permission was granted

#### *Application for and grant of licences.*

**23. Previous sanction in certain cases—**(1) A licence having effect beyond the local jurisdiction of the officer granting it shall not be granted—

(a) for the import to any place in British Baluchistan,

(b) for the export to any place in Berar, or in the Baluchistan Agency Territories, or in any State in India

of arms, ammunition, or military stores, without the previous sanction of the District Magistrate of the district, or of the Political Officer of the State in which such place is situated, or (where the destination is a Presidency town or Rangoon), of the Commissioner of Police thereof, as the case may be

(3) Where the previous sanction is sought by the officer to whom application for the grant of the licence is made, he shall send a copy of the proposed licence to the authority whose previous sanction is required; and, on receipt of the reply of such authority, he shall either grant the licence or inform the applicant that his application is refused.

**24. Particulars to be stated in applications.**—(1) Every person who wishes to obtain a licence under these rules shall apply in writing, through the medium of the post office or otherwise at his option, to the nearest authority empowered to grant such licence; and shall in such application furnish all such particulars as may be necessary to enable such licence to be granted:

Provided that an application on behalf of a person subject to the provisions of the Indian Army Act, 1911 (VIII of 1911), shall be made to the authority so empowered in respect of the place where such person permanently resides.

(2) Without prejudice to the generality of sub-rule (1), every person applying for a licence for the import, export or transport of any arms, ammunition or military stores shall specify in his application—

(i) the place of destination,

(ii) the route,

(iii) the time likely to be occupied in the journey, and

(iv) the quantity, description and price of each kind of arms, ammunition or stores in respect of which the licence is required and the purpose for which they are intended.

(3) Where the grant of the licence requires the previous sanction of some other authority specified in rule 23, the application shall state whether such previous sanction has been obtained, and if so, shall be supported by evidence thereof.

**25. Form and language of licences.**—(1) Every licence shall be granted or renewed in the appropriate Form and subject to the conditions set forth in such Form, and, save as therein otherwise expressly provided, the arms, ammunition or military stores specified, and the persons named in the licence, shall alone be covered thereby.

(2) Every such licence shall be written or printed—

(a) where it is intended for use beyond the limits of the district in which it is granted, in English, and if the licensing officer so directs, in the vernacular, or

(b) where it is intended for use within the limits of the district in which it is granted, in English, or in the vernacular as the licensing officer may direct.

**26. Duration and renewal of licences.**—(1) Save as herein otherwise provided, every licence under these rules shall, unless previously cancelled, be in force for such period and expire on such day as, subject to any restrictions or limitations provided in the appropriate Form, the authority granting it may enter thereon.



(2) A licence for the transport of arms, ammunition or military stores shall not, save for special reasons to be recorded by the authority granting it, be granted for a period longer than twice the time likely to be occupied in the journey to the place of destination by the route indicated in the licence

(3) Every licence may, at its expiration and subject to the same conditions (if any) as to previous sanction as would apply in the granting thereof, be renewed by the authority who granted it, or by any other authority empowered to grant a licence of the description in question :

Provided that, where a licence is renewed by an authority other than the authority who granted it, the former shall forthwith inform the latter of the fact of renewal and the period for which such renewal is valid.

**27 Discretion and control of authority empowered to grant licences**—(1) Every authority empowered to grant or renew a licence, or to give his previous sanction to such grant or renewal, may in his discretion (a) refuse to grant or renew such licence, or to give such sanction, or (b) where the authority is subordinate to the Chief Commissioner, refer the application for orders to the Chief Commissioner

(2) Every such authority shall exercise all powers and perform all duties conferred or imposed by these rules, subject to the control of the executive authorities to whom he is subordinate.

**28 Obligation to produce licences**—(1) Any person who—

(a) holds a licence granted or renewed under these rules, or

(b) is acting under colour of such a licence

shall forthwith produce such licence upon the demand of any Magistrate or of any Police Officer of a rank not below that of officer in charge of a Police station

(2) Nothing in sub rule (1) shall be deemed to limit or otherwise affect the power of any authority empowered to grant or renew a licence, to grant or renew it upon any condition not inconsistent with the said sub-rule with respect to the production of such licence.

**29 Production of arms**—The authority by whom any licence has been granted under rules 19 and 20 may, for the purpose of satisfying himself that any arms covered by such licence are still in the possession of the licensee, at any time while the licence is in force, by order in writing require the licensee to produce the arms at such time and place and for the inspection of such person as may be specified in the order.

#### *Fees.*

**30 Fees payable for licences**—(1) Every licence granted or renewed under these rules shall, save as herein otherwise expressly provided, be chargeable with the fee (if any) indicated in the form in which it is granted or renewed

(2) The Governor General in Council may, by general or special order, grant exemption from, or reduction of, the fee payable in respect of any licence

(3) The Chief Commissioner may, by general or special order, remit or reduce the fee payable in respect of the grant or renewal of any licence—

(a) for the import, transport or possession of sulphur, in reasonable quantities, proved to the satisfaction of the Chief Commissioner to be required in good faith for medicinal, agricultural, manufacturing or industrial purposes other than the manufacture of ammunition; or

(b) granted under rule 7 to any person for the import of any arms, ammunition or military stores, in reasonable quantities proved to the satisfaction of the authority granting the licence to be required in good faith for the protection of persons or property.

(4) Any Political Officer authorised to grant a licence in Form III may remit the fee payable in respect of the grant or renewal of any such licence in the case of arms and ammunition exported for personal use, or in the case of ammunition exported for the use for blasting purposes, whether on a public work or not, of the Government of the State for which he is the Political Officer.

(5) No fee shall be chargeable in respect of the grant or renewal of any licence in Form XII to any member of any of the classes of persons specified in the first column of Schedule IV for possession of and going armed with the arms and ammunition specified in the corresponding entry in the second column thereof.

**31. Fees payable for duplicates.**—Where a licence granted or renewed under these rules is lost or accidentally destroyed, the authority empowered to grant such licence may grant a duplicate—

(a) where the original licence was granted without the payment of any fee, free of all fee;

(b) where such original licence was granted on the payment of a fee not exceeding one rupee, on payment of a fee of the same amount; or

(c) in any other case, on payment of a fee of one rupee.

**32. Collection and refund of fees.**—(1) All fees payable under rule 30 or under rule 31 shall be paid by means of non-judicial stamps, or in cash, at the option of the applicant.

(2) Ordinarily the applications for licences or renewal of licences in respect of which a fee is payable shall be written upon a non-judicial stamp of a value equal to such fee, and in such case the licence or duplicate shall be granted or renewed on plain paper, but when the licences themselves are written or printed on non-judicial stamps, the application may be written on plain paper.

(3) Where a fee of not less than one rupee payable under these rules has been realised, and the application for the grant or renewal of a licence or duplicate is refused, the value of the fee shall be refunded upon application for the same being made within two months from the date of such refusal.

#### *Concillation and Savings.*

**33. The British Baluchistan Arms Rules, 1913, are hereby cancelled:**

Provided that all exemptions, exclusions and withdrawals made, all licences or duplicates granted or renewed, all fees imposed, levied, remitted or reduced and all powers conferred by or under those rules shall, so far as they are consistent with these rules, be deemed to have been respectively made, granted, renewed, imposed, levied, remitted, reduced or conferred hereunder.

## SCHEDULE I—PERSONS EXEMPTED—(See rule 3)

The persons or classes of persons specified or described in the first column of the sub joined table are, subject to the provisions of provisos (b) and (c) to rule 3, exempted, in respect of the arms and ammunition described in the second column, when carried or possessed (save where otherwise expressly stated) for their own personal use from such prohibitions and directions contained in the Act (as extended to British Baluchistan) as are indicated in the fourth column, subject to the provisos and restrictions entered in the third column,

THE TABLE

Persons or classes of persons.	Arms and ammunition	Provisos and restrictions	Prohibitions and directions
<p>(1) All persons who in British India are exempted from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act, 1878 (XI of 1878)</p> <p>(2) The retainers of H H the Khan of Kalat</p> <p>(3) The retainers of the Jam of Lea Bela</p> <p>(4) The Baluch Brahui and Pathan Sardars, Khans and Jagirdars of British Baluchistan and Agency territories and their retainers, subject to such orders as the Chief Commissioner may issue regarding the person ages to be included in these categories and the number of weapons and retainers in each case</p> <p>(5) Such Govt servants including Levies and such other persons as the Chief Commissioner may from time to time by general or special order direct</p>	<p>All except—</p> <p>(a) cannon,</p> <p>(b) articles designed for torpedo service,</p> <p>(c) war rockets</p> <p>(d) rifles of 303 or 450 bore and revolvers or pistols of 441 455 or any intermediate bores other than rifles of such bores lawfully imported into British Baluchistan and ammunition which can be fired from the same,</p> <p>(e) machinery for the manufacture of arms or ammunition and</p> <p>(f) appliances the object of which is the silencing of firearms</p> <p>Such arms as the Chief Commissioner may direct</p>	<p>The arms or ammunition carried or possessed by any person herein exempted shall be of such descriptions only and shall not exceed such quantities if any, as—</p> <p>(a) the Government of India,</p> <p>(b) The Chief Commissioner with respect to British Baluchistan,</p> <p>may declare to be reasonable for such person to carry or possess</p> <p>Ditto</p>	<p>Those contained in sections 13 to 15</p> <p>Ditto</p>

## SCHEDULE II.—(See Rule 3.)

## ARMS, AMMUNITION AND MILITARY STORES EXCLUDED.

Within the areas specified in the first column of the sub-joined table, the arms, ammunition and military stores described in the second column are exempted from the operation of such prohibitions and directions contained in the Act (as extended to British Baluchistan) as are indicated in the third column.

THE TABLE.

Area.	Arms, ammunition and military stores.	Prohibitions and directions.
British Baluchistan.	(a) Spears of all kinds and hunting knives.	All.
	(b) Uniform swords and dirks manufactured in Europe of recognized military or official patterns, when possessed by, or intended to be supplied to, persons entitled to wear them as part of their uniforms.	All.
	(c) Swords imported for presentation as prizes for members of the regular or auxiliary forces.	All.
	(d) Kirpans possessed or carried by Sikhs.	All.
	(e) Ornamental arms other than firearms, and possessing only antiquarian value, masonic swords, and theatrical and fancy dress swords; provided they are virtually useless for offensive and defensive purposes.	All.
	(f) Toy cannon weighing less than 56 lbs. and having—	All.
	(i) a calibre of less than one inch.	
	(ii) a length of bore of less than 24 inches, and	
	(iii) the interior of the bore unrifled.	
	(g) Arms which are in the possession of a regiment or military mess as trophies or curiosities or otherwise solely for purposes of ornament or display.	All.
	(h) Gunwads and wire cartridges.	Those contained in sec. 6 of the Act.
	(i) Lead required <i>bonafide</i> for industrial and manufacturing purposes (other than the manufacture of bullets and bird-shot) up to any quantity.	All.
	(j) Leaden bullets and bird-shot in quantity not exceeding such limits as the Chief Commissioner may fix.	All.
	(k) Saltpetre.	All.
	(l) Sulphur in quantities not exceeding such limits as the Local Government may fix.	All.
	(m) Air guns and air pistols which satisfy the following test, namely, that projectiles discharged from such guns or pistols do not perforate a target 12 inches square formed by five strawboards of foolscap size, each board being 3-64ths of an inch thick and closely held together in a frame.	All, provided that the Chief Comr. may by general or special order, retain all or any of the prohibitions and directions contained in the Act in respect of air pistols or of any class thereof in the case of any class of persons or of any specified area.
	Provided that in making and estimating the test the following conditions shall be observed, namely :—	
	(1) the gun or pistol shall be held horizontally with the muzzle at a distance of five feet from the target,	
	(2) the test shall be repeated twenty times for each class of projectile which can be discharged from the gun or pistol, and	
	(3) perforation shall be deemed to be effected in a case where the projectile is a dart, if the point of the dart pierces the back of the target, and in any other case if the projectile passes completely through the back of the target.	

## SCHEDULE III—[Rule 2] Forms of Licences.

Form I, [Rules 5, 13, and 18], Corresponds to Form I appended to the Indian Arms Rules, 1924 Vide page 162, ante

II, [Rule 7]	Corresponds to Form III	"	"	page 164, ante
III, Rule 10],	Corresponds to	VI	"	page 166, ante
IV [Rule 14]	"	VII	"	167, ante
V [Rule 16 (1) (a)]	"	IX	"	168, ante
VI [Rule 16 (1) (b)]	"	X	"	170, ante
VII [Rule 16 (2) (a)]	"	XI	"	171, ante
VIII [Rule 16 (2) (b)]	"	XII	"	173, ante

IX [Rule 16 (4)]—Free of all fee Licence to sell rifled firearms or ball ammunition for rifled firearms which the vendor lawfully possesses for his own personal use.

Serial No of licence	Description of rifled firearms or ammunition	Name, parentage and residence of person desiring to sell rifled firearms or ammunition	Name, parentage and residence of person to whom sale is to be made	Price agreed upon	Date on which licence expires
1	2	3	4	5	6

The — of — 19 .

Signature

District Magistrate of the —

Form X, [Rule 17], Corresponds to Form XIII, appended to the Indian Arms Rules, 1924, page 174, ante.

XI [Rule 19]	"	"	XIV	"	"	175, " "
XII [Rule 20]	"	"	XVI	"	"	177, " "
XIII [Rule 21]	"	"	XX	"	"	183, " "

Schedule IV [See Rule 30 (5)]—Persons to whom no fee is chargeable in Form XII in respect of certain arms The list is identical with the list appended as Schedule VII to the Indian Arms Rules, 1924 and printed on pages 160 161 ante

THE BANGALORE  
BARODA CANTONMENT ARMS RULES, 1924.

Foreign and Political Department Notification No.  $\frac{260 G}{465 G}$  dated the 31st May 1924.—In exercise of the powers conferred by sections 4, 29th Sept 17 an 378 (XI of 1878) as applied to the [and in supersession of all previous notifications made thereunder, respecting Bangalore] the Governor General in Council is pleased to make the following rules:—

1 Short title.—(1) These rule may be called the { Bangalore  
Baroda Cantonment Arms Rules, 1924.

(2) They shall come into force on the 1st August 1924  
1st October

2. Interpretation.—(1) In these rules unless there is anything repugnant in the subject or context—

(a) "Form" means a Form as set out in Schedule III.

(b) "the Act" means the Indian Arms Act, 1878, as applied to the Civil and military station of Bangalore  
Baroda Cantonment ;

(c) "the Resident" means the Resident in Mysore  
at Baroda.

(2) The General Clauses Act, 1897 (X of 1897) as applied to the Civil and Military Station of Bangalore  
Baroda Cantonment shall apply for the purpose of the interpretation of these rules in like manner as it applies for the purpose of the interpretation of an Act of the Governor General in Council as applied to the said Station  
Cantonment.

### *Application of the Act.*

3. **Exemption and exclusion.**—(1) The persons and classes of persons and the arms and ammunition specified or described in Schedules I and II are, respectively, exempted and excluded to the extent and subject to the conditions therein specified from the operation of prohibitions and directions contained in the Act :

Provided that the exemptions specified in Schedule I are made subject to the following conditions, namely :—

(a) they shall not be deemed to render lawful the import of arms or ammunition through the medium of the Post Office into the area to which these rules apply from the areas of the Mysore  
Baroda State directly administered by His Highness the { Maharaja  
Maharaja Gaekwar,

(b) any person so exempted shall register in such manner as the Resident may prescribe, any firearm or ammunition for the same in respect of which he is exempted from the operation of any provision of the Act ;

(c) every person shall, on the loss or theft of any arm in respect of which he is so exempted, forthwith report the occurrence at the nearest police station ; and

(d) the Governor General in Council may, by notification in the *Gazette of India*, direct that any such exemption conferred on a class of persons shall cease to extend to any person included in that class who may be named in the notification.

(2) Any person failing to comply with any condition of exemption set out in provisos (b) and (c) to sub-rule (1) shall be deemed to have violated these rules.

4. **Extension.**—For the purposes of the definition of "military stores" in section 4 of the Act, all sections are extended throughout the C. and M. S. of Bangalore  
Baroda Cantonment to all lead, sulphur and saltpetre.

### *Import.*

5. **Import from British India.**—For import of arms, ammunition or military stores from British India a copy of export licence granted under the Indian Arms Rules, 1924, shall be deemed to be an import licence under section 6 of the Act.

6. **Export to British India**—For export to British India a copy of the import licence, issued under the Indian Arms Rules, 1924, shall be deemed to be an import licence under section 6 of the Act

\*NOTE.—[The provisos within parenthesis were added to Bangalore Rule 7(1) and (2) by F and P Dept, Notn No 118 G, dated the 9th March 1925.]

(c) war-rockets, or

(d) machinery for the manufacture of arms or ammunition.

**10. Possession of firearms, ammunition or military stores.—**

Save as otherwise provided by rule 9, a licence for the possession only of arms, (other than pistols or revolvers), ammunition or military stores may be granted in Form VI by the District Magistrate or other officer specially empowered by the Resident in that behalf.

*Possession and use for target practice by clubs, etc.*

**11. Licence for the possession and use of firearms for purposes of target practice.—**A licence for the possession and use of firearms, for the purposes of target practice by the members of any military mess or of any club or association may, with the sanction of the Resident, be granted in Form VII in the name of the mess, club or association by the District Magistrate or other officer empowered by the Resident in that behalf.

*Possession and going armed.*

**12. Possession of arms and ammunition and going armed for sport, protection or display.—**Save as otherwise provided by rule 9, a licence for the possession of arms and ammunition in reasonable quantities and for going armed for the purpose of sport, protection or display, may be granted in Form VIII by the District Magistrate or other officer empowered by the Resident in that behalf: provided that—

(i) no licence shall be granted for the possession of rifles of '303 or '450 bore or of pistols or revolvers of '441, '455 or any intermediate bore or of ammunition for the same or for going armed with such rifles, pistols or revolvers, unless such rifles, pistols or revolvers or such ammunition have been lawfully imported into the {C. and M. S. of Bangalore and Baroda Cantonment,

(ii) no licence shall be granted in respect of balled ammunition for rifles, pistols or revolvers of such bores, unless the authority granting the licence is satisfied that such rifle is lawfully possessed by the owner thereof for sporting purposes or that such pistol or revolver has been lawfully imported into {C. and M. S. of Bangalore Baroda Cantonment, as the case may be, and the amount of balled ammunition which such licensee may possess, during the period of twelve months next ensuing shall be entered in the licences.

**13. Validity of licence granted in British India.—**A licence granted under rule 33 of the Indian Arms Rules, 1924, may on countersignature by the District Magistrate or other officer empowered by the Resident in that behalf, be made valid within the limits of the {C. and M. S. of Bangalore Baroda Cantonment subject to any restrictions which may be imposed by any general or special order of the Resident.

*Application for and grant of licences.*

**14. Particulars to be stated in application.—**Every person who wishes to obtain a licence under these rules shall apply in writing through the medium of the post office or otherwise at his option to the



nearest authority empowered to grant such licence, and shall in such application furnish all such particulars as may be necessary to enable such licence to be granted

**15 Form and languages of licences**—(1) Every licence shall be granted or renewed in the appropriate Form, and subject to the conditions set forth in such Form and, save as therein otherwise expressly provided, the arms, ammunition or military stores specified and the persons named in the licence shall alone be covered thereby

(2) Every such licence shall be written or printed in English

**16 Duration and renewal of licences**—(1) Save as herein otherwise provided, every licence under these rules shall unless previously cancelled, be in force for such period and expire on such day as, subject to any restrictions or limitation provided in the appropriate Form, the authority granting it may enter thereon.

(2) Every licence may, at its expiration and subject to the same conditions (if any) as to previous sanction as would apply in the granting thereof, be renewed by the authority who granted it or by any authority empowered to grant a licence of the description in question provided that a licence in Forms III and IV may be renewed either by the Resident or by the District Magistrate

**17 Discretion and control of authorities empowered to grant licences**—(1) Any authority empowered to grant or renew a licence may, in his discretion,—

(a) refuse to grant or renew such licence, or

(b) refer the application for orders to the Resident

provided that in any case in which the authority other than the resident refuses to grant or renew a licence, the applicant for such grant or renewal may appeal to the Resident, whose decision shall be final

(2) Every such authority shall exercise all powers and perform all duties conferred or imposed by these rules, subject to the control of the executive authorities to whom he is subordinate

**18 Obligation to produce licences**—(1) Any person who—

(a) holds a licence granted or renewed under these rules, or

(b) is acting under colour of such licence,

shall forthwith produce such licence upon the demand of any Magistrate or of any Police officer of a rank not below that of officer in charge of a police station

(2) Nothing in sub rule (1) shall be deemed to limit or otherwise affect the power of any authority empowered to grant or renew a licence to grant or renew it upon any condition not inconsistent with that sub rule with respect to the production of such licence

**19 Production of arms**—The authority by whom any licence has been granted under rule 10, or rule 12, may, for the purpose of satisfying himself that any arms covered by such licence are still in the possession of the licensee, at any time while the licence is

in force, by order in writing, require the licensee to produce the arms at such time and place and for the inspection of such person as may be specified in the order.

### *Fees.*

**20. Fees payable for licences.**—(1) Every licence granted or renewed under these rules shall, save as herein otherwise expressly provided, be chargeable with the fee (if any) indicated in the Form in which it is granted or renewed under these rules.

(2) The Governor-General in Council may, by general or special order, grant exemption from, or reduction of, the fee payable in respect of any licence.

(3) No fee shall be chargeable in respect of the grant or renewal of any licence in form VIII to any member of any of the classes of persons specified in the first column of Schedule VII to the Indian Arms Rules, 1924, for possession of and going armed with the arms and ammunition specified in the corresponding entry in the second column thereof.

**21. Fees payable for duplicates.**—Where a licence granted or renewed under these rules is lost or accidentally destroyed, the authority empowered to grant such licence may grant a duplicate—

(a) where the original licence was granted without the payment of any fee, free of all fees, or

(b) in any other case, on payment of a fee of one rupee or of the fee with which the original licence was chargeable, whichever is less.

**22. Collection and refund of fees.**—(1) All fees payable under rule 20 or rule 21 shall be paid by means of non-judicial stamps or in cash at the option of the applicant.

(2) Where a fee of not less than one rupee payable under these rules, has been realised, and the application for the grant or renewal of a licence or duplicate is refused, the value of the fee shall be refunded upon application for the same being made within two months from the date of such refusal.

### *Savings.*

**23. Savings.**—All \*[exemptions, exclusions or withdrawals made, all] licences or duplicates granted or renewed, all fees imposed, levied, remitted or reduced, before the passing of these rules \*[and all powers conferred by or under the Bangalore Arms Rules, 1921, or any notification hereby superseded, and in force at the commencement of this notification] shall, so far as they are consistent herewith be deemed to have been respectively made, granted, renewed, imposed, levied, remitted, or reduced, hereunder.

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\*[The portion within brackets relate only to Bangalore.]

SCHEDULE I —(See rule 3)—PERSONS EXEMPTED

The persons or classes of persons specified or described in the first column of the sub joined table are, subject to the provisions of provisos (b) and (c) to rule 3 exempted, in respect of the arms and ammunition described in the second column, when carried or possessed (save where otherwise expressly stated) for their own personal use, from such prohibitions and directions contained in the Act as are indicated in the fourth column subject to the provisos and restrictions entered in the third column

THE TABLE

Persons or classes of persons	Arms and ammunition	Provisos and restrictions	Prohibitions and directions
1 All persons and classes of persons who in British India are exempted from the prohibitions and directions contained in sections 13 to 15 of the Indian Arms Act, 1878 (XI of 1878)	In respect of such arms and ammunition as are specified in this behalf in respect of such person, or class of persons in Schedule I to the Indian Arms Rules, 1924	The arms or ammunition carried or possessed by any person, herein exempted, shall be of such description only and shall not exceed such quantities, if any as the Governor General in Council, or the Resident, may declare to be reasonable for him to carry or possess	These contained in sections 13 to 15
2 All persons or classes of persons who in the area to which these rules apply occupy positions similar to those held by persons described in entry 1 above and are designated by the Resident	All, except— (a) cannon, (b) articles designed for torpedo service, (c) war rockets (d) rifles of 303 or 450 bore and pistols and revolvers of 441, 455 or any intermediate bore (and ammunition which can be fired from the same) not lawfully imported	The exemption shall be subject to such orders as the Resident may make regarding— (a) the persons to be included in this category, (b) the number of containers and the quantity and description of arms and ammunition to be permitted in each case and *[(c) The purposes for which such arms are carried] (d) the area within which the exemption is to be allowed †The exemption shall be subject to such conditions if any, as may be prescribed by the Resident	Ditto
3 (a) Such members of the family of His Highness the Maharaja { of Mysore Gaekwar and such Arsua, nobles and officials as may be designated by the Resident and (b) the retainers of such persons referred to in sub head (a) on the latter entering passing through, or residing in C and M. S. of the { Bangalore Cantonment Baroda Cantonment	into the { C and M. S. of Bangalore, Baroda Cantonment (e) machinery for the manufacture of arms or ammunition and (f) appliances the object of which is the silencing of firearms		

\*[(c) Applicable only to Bangalore]

†This proviso applies to item 3(b) of column 1

## SCHEDULE II.—(See Rule 3.)

## ARMS, AMMUNITION AND MILITARY STORES EXCLUDED.

The arms, ammunition and military stores described in the first column are excluded from the operation of such prohibitions and directions contained in the Act as are indicated in the second column.

THE TABLE.

Arms, ammunition or military stores.	Prohibitions and directions.
<p>1. All arms except—</p> <ul style="list-style-type: none"> <li>(a) cannon,</li> <li>(b) fire-arms,</li> <li>(c) air guns</li> <li>(d) articles designed for torpedo service,</li> <li>(e) war-rockets,</li> <li>(f) machinery for the manufacture of arms, and</li> <li>(g) appliances the object of which is the silencing of firearms:</li> </ul> <p>Provided that the exceptions in respect of cannon and firearms and air guns shall not apply</p> <ul style="list-style-type: none"> <li>(a) to cannon and firearms which are obsolete and unserviceable and of purely antiquarian value or which are in possession of a regiment or military mess as trophies or curiosities or otherwise solely for purposes of ornament or display; or</li> <li>(b) to toy cannon weighing less than 56 lbs. and having— <ul style="list-style-type: none"> <li>(a) a calibre of less than one inch,</li> <li>(b) a length of bore of less than 24 inches,</li> <li>(c) the interior of the bore unrifled.</li> </ul> </li> <li>(c) to air guns which satisfy the following test namely, that projectiles discharged from such guns do not perforate a target 12 inches square formed by five straw-boards of foolscap size, each board being 3-64ths of an inch thick and closely held together in a frame.</li> </ul> <p><i>Explanation.</i>—In making and estimating the test the following conditions shall be observed, namely :—</p> <ul style="list-style-type: none"> <li>(1) the gun [or pistol] shall be held horizontally with the muzzle at a distance of five feet from the target ;</li> <li>(2) the test shall be repeated twenty times for each class of projectile which can be discharged from the gun, [or pistol] and</li> <li>(3) perforation shall be deemed to be effected in a case where the projectile is a dart, if the point of the dart pierces the back of the target, and in any other case if the projectile passes completely through the back of the target.</li> </ul> <p>2. Sights for rifles imported for the use of, or for sale to, the persons enumerated in entry (8) of Schedule I, or non-commissioned officers and soldiers of His Majesty's regular forces on a written permit from the officer commanding the regiment to which they belong.</p> <p>3. Explosives made in small quantities for the purpose of chemical experiment and not for practical use or for sale ;</p> <p style="text-align: center;">and</p> <p>the following classes of explosives when intended <i>bona fide</i> for private blasting purposes :—</p> <ul style="list-style-type: none"> <li>(1) gunpowder in any quantity not exceeding 30 pounds ;</li> <li>(2) cartridges made with gunpowder and not containing their own means of ignition, and containing in all not more than 30 pounds of gunpowder ;</li> <li>(3) percussion caps,</li> <li>(4) safety fuses.</li> </ul>	<p>All; provided that the Resident may by notification in the local official gazette, retain all or any of the prohibitions and directions contained in the Act in respect of any arms in the case of any class of persons or of any specified area.</p> <p>All.</p> <p>Those contained in sections 5 and 14.</p> <p>Those contained in section 14.</p>

\* The words "or pistol" apply in the case of Baroda.

Arms, ammunition or military stores.	Prohibitions and directions.
<p>{ 4. All arms, ammunition and military <u>brought into</u> the</p> <p>{ 5. <u>taken out of</u> the</p> <p>{ C and M. S of Bangalore from the areas of the Mysore</p> <p>{ Baroda Cantonment from the areas of the Baroda</p> <p>State directly administered by H H the { Maharaja</p> <p>State { Mahasaja Gackwar,</p> <p>except (in the case of import) through the medium of the</p> <p>Post Office, provided the person { importing such arms,</p> <p>{ taking out</p> <p>ammunition or military stores is lawfully entitled to</p> <p>possess them</p> <p>6 Gun-wads and wire cartridges</p> <p>7 Lead required in good faith for industrial and manu- facturing purposes (other than manufacture of bullets and bird-shot) up to any quantity</p> <p>8, Leaden bullets and bird shot in quantity not exceeding such limits as the Resident may fix</p> <p>9. Saltpetre.</p> <p>10 Sulphur in quantities not exceeding such limits as the Resident may fix</p>	<p>Those contained in sec- tion 6</p> <p>Ditto</p> <p>All</p> <p>All</p> <p>All</p> <p>All</p>

### SCHEDULE III [Rule 2]—FORMS OF LICENCES

- Form I, [Rule 7 (1) (a)], corresponds to Form IX, appended to  
Indian Arms Rules, 1924, page 168 *ante*
- Form II, [Rule 7 (1) (b)], corresponds to Form X, appended to  
Indian Arms Rules, 1924, page 170 *ante*
- Form III, [Rule 7 (2) (a)], corresponds to Form XI, appended to  
Indian Arms Rules, 1924, page 171 *ante*
- Form IV, [Rule 7 (2) (b)], corresponds to Form XII, appended to  
Indian Arms Rules, 1924, page 173 *ante*
- Form V, [Rule 8], corresponds to Form XIII, appended to  
Indian Arms Rules, 1924, page 174 *ante*.
- Form VI, [Rules 10], corresponds to Form XIV, appended to  
Indian Arms Rules, 1924, page 175 *ante*
- Form VII, [Rule 11], corresponds to Form XV, appended to  
Indian Arms Rules, 1924, page 176 *ante*
- Form VIII, [Rule 12], corresponds to Form XVI, appended to  
Indians Arms Rules, 1924, page 177 *ante*.

## BENGAL RULES AND ORDERS.

1. Import and export of arms.—*Vide Note (1) to section 6 of the Act, page 48.*
- 1 A. Importation of arms of military patterns.—*Vide Notes to Rule 7, page 89.*
- 1 B. Re-importation of arms of military patterns.—*Vide Notes (10) to (12) to rule 8, on page 91.*

2. Import and transport by dealers.—*Vide Note (3) to rule 24 page 100.*

3. The following rules have been framed by Government to cover the case of individuals importing arms into India through the Port of Calcutta, as personal luggage :—

(1) The Collector of Customs will, under section 6 of the Indian Arms Act, 1878 (XI of 1878), detain all firearms not covered by licences produced by the owner. —(2) He may likewise, if there are reasonable grounds for suspicion, under the same section, detain firearms ostensibly possessed under proper authority.—(3) He will give in the former case a receipt to the owner describing the particulars of the weapon; in the latter case he will report the facts to Government for orders under section 6 of the Act.—(4) The owner in the former case will apply for a possession licence filing his receipt with the application to the Commissioner of Police, Calcutta, or Magistrate of the 24 Parganas or Howrah, if he is going to reside in those districts. If he is going to reside elsewhere he will apply to the Commissioner of Police for a journey licence to his place of residence.—(5) The licensing authority will then dispose of the application, inspecting the weapon, if it wishes to at the Customs Office.—(6) On receipt of his licence, if it is granted, the owner will present it at the Customs Office, and take possession of his weapon.—(7) In cases where the owner cannot spare the time to get a journey licence from the Commissioner of Police, he will, after reaching his destination, apply to the local District Magistrate for a possession licence for the weapon, filing his Customs receipt. On receipt of the licence he will forward it to a licensed dealer or a recognised shipping agent in Calcutta with an order authorising the dealer or the shipping agent to take delivery of the weapon from the Customs Office, and to forward it to him at his expense. The Customs authorities shall deliver up the weapon to the dealer or the shipping agent on production of the owner's licence and the letter of authority. [Similar rules *mutatis mutandis* have been framed for the import of arms as personal luggage through the Port of Chittagong.]

4. Journey licences for passengers arms.—*Vide Note (1) to rule 34 on page 112.*

5. Import licences under Explosives Act required for ammunition.—*Vide Note (4) to section 6 of the Act, on page 48.*

6. Foreign Inward Mail containing arms and ammunition.—*Vide Note (3) to section 6 of the Act, page 48.*

7. Articles in transit to foreign territories through Indian Post Office.—*Vide Note (3) to section 6 of the Act, page 48*

8. Licences for export to Cantonments and Railway lands in Native States.—*Vide Note (2) to Rule 7, page 90.*

9. The authorities in Bengal empowered to grant licences for the export of arms, ammunition or military stores to Indian States are the Secretary to the Government of Bengal, Deputy Commissioner of Police, Calcutta, and the Political Officer in Hill Tippera, for the places and subject to the conditions prescribed in Schedule VI of the Indian Arms Rules, 1924. The export of arms ammunition or military stores to a State in India no longer requires the previous sanction of the Political Officer for such State, where the consignee is—(i) a Ruling Prince or Chief, (ii) a gazetted officer in civil employ or an officer holding His Majesty's Commission, (iii) a member of the family of the Ruling Prince or Chief or a noble or an official of a State in India who has been designated in this behalf by the Local Government or Political Officer concerned, (iv) a person included in any of the categories in Schedule I and the consignment is intended for the personal use only of the consignee. (*Vide proviso to rule 39 (1) (a) of the Indian Arms Rules on page 115.*)

10 Moyapur Warehouse — *Vide* Note to section 7 of the Act, page 49

11 Under section 9 of the Sea Customs Act, VIII of 1878, the following rule is published for general information —

The import and export manifests of all vessels engaged in the coasting trade or vessels trading with ports in the Persian Gulf shall, in future be required to contain a list of all arms and ammunition carried by such vessels as a part of their equipment or armament and likewise of all arms and ammunition being the personal property of the master, the officers and the crew on board such vessels. This information must be furnished in the manifest for each port to which the vessel is bound (Notification dated the 7th Sept 1889)

12 It is notified for general information that in exercise of the powers conferred under section 157 of the Sea Customs Act VIII of 1878,—

The provisions of sections 55 and 63 of the Act are extended to coasting vessels owned and manned by natives of India and to vessels plying under general passes under section 164 of the Act so far as regards the specification by the master in the import and export manifests of all arms ammunition carried on such vessels as part of their equipment or armament and likewise of all arms and ammunition on board being the personal property of the master, the officers and the crew working on board such vessels (Bengal Notn, dated the 7th Sept 1889)

13 Export to Indian States — *Vide* Note (2) to Rule 17 page 97

14 Export of cannon — *Vide* Note (1) to Rule 17, page 97

15 Issue of transport licence for definite consignments — *Vide* Note (5) to Rule 24, page 100

16 Import and transport — *Vide* Note (7) to rule 24 page 101

17 18 Remission of fees for licences — *Vide* Notes to rule 46, page 121 *ante*

19 With a view to prevent the leakage of firearms through officers and crew of vessels calling at the Port of Calcutta, the following warning notice has been prescribed. The notice should be printed in heavy type under the signature of the Commissioner of Police, Calcutta, and distributed by him to shipping firms for circulation to officers and crew on the arrival of vessels and for posting up in conspicuous places on the ship. Copies should also be sent to Port Officer, Calcutta

the Port of Calcutta are hereby warned  
y stores to any person in India is, unless  
the Indian Arms Act punishable with

imprisonment or with fine or with both

To avoid the risk of incurring these penalties owners of such articles should in all cases before transferring them to any person in India apply for information to the Commissioner of Police in Calcutta or to Magistrates at other ports of call

A similar notice with the requisite notification should be issued over the signature of the District Magistrate of Chittagong and distributed to the agents of shipping firms in Chittagong and to the Port Officer (Bengal No 136 37 P—D, dated the 28th April 1916)

20 Application of Act to arms other than firearms — as Note (4) to (9) to Schedule II page 147 148

21 Prohibitions affecting Bayonets — *Vide* Note (4) to (6) to Schedule II, page 147

22 Prohibitions affecting Air Pistols — *Vide* Notes (5) to (8) to Schedule II, pages 147

23 Prohibitions affecting Daggers — *Vide* Notes (4) to (8) to Schedule II pages 147, *ante*

24 Prohibitions affecting Swords — *Vide* Notes (4) to (8) to Schedule II pages 147 148.

24A Extension to Bengal of section 15 of the Act. — *Vide* Note to section 15 of the Act page 53

25 Lead Bullets and Bird shot — *Vide* Note (11) to Schedule II, on page 148.

26, Sulphur. — *Vide* Note (12) to Schedule II, on page 148

## BENGAL RULES AND ORDERS.

1. Import and export of arms.—*Vide Note (1) to section 6 of the Act, page 48.*  
 1 A. Importation of arms of military patterns.—*Vide Notes to Rule 7, page 89.*  
 1 B. Re-importation of arms of military patterns.—*Vide Notes (10) to (12) to rule 8, on page 91.*

2. Import and transport by dealers.—*Vide Note (3) to rule 24 page 100.*

3. The following rules have been framed by Government to cover the case of individuals importing arms into India through the Port of Calcutta, as personal luggage:—

(1) The Collector of Customs will, under section 6 of the Indian Arms Act, 1878 (XI of 1878), detain all firearms not covered by licences produced by the owner. —(2) He may likewise, if there are reasonable grounds for suspicion, under the same section, detain firearms ostensibly possessed under proper authority.—(3) He will give in the former case a receipt to the owner describing the particulars of the weapon; in the latter case he will report the facts to Government for orders under section 6 of the Act.—(4) The owner in the former case will apply for a possession licence filing his receipt with the application to the Commissioner of Police, Calcutta, or Magistrate of the 24 Parganas or Howrah, if he is going to reside in those districts. If he is going to reside elsewhere he will apply to the Commissioner of Police for a journey licence to his place of residence.—(5) The licensing authority will then dispose of the application, inspecting the weapon, if it wishes to at the Customs Office.—(6) On receipt of his licence, if it is granted, the owner will present it at the Customs Office, and take possession of his weapon.—(7) In cases where the owner cannot spare the time to get a journey licence from the Commissioner of Police, he will, after reaching his destination, apply to the local District Magistrate for a possession licence for the weapon, filing his Customs receipt. On receipt of the licence he will forward it to a licensed dealer or a recognised shipping agent in Calcutta with an order authorising the dealer or the shipping agent to take delivery of the weapon from the Customs Office, and to forward it to him at his expense. The Customs authorities shall deliver up the weapon to the dealer or the shipping agent on production of the owner's licence and the letter of authority. [Similar rules *mutatis mutandis* have been framed for the import of arms as personal luggage through the Port of Chittagong.]

4. Journey licences for passengers arms.—*Vide Note (1) to rule 34 on page 112.*

5. Import licences under Explosives Act required for ammunition.—*Vide Note (4) to section 6 of the Act, on page 48.*

6. Foreign Inward Mail containing arms and ammunition.—*Vide Note (3) to section 6 of the Act, page 48.*

7. Articles in transit to foreign territories through Indian Post Office.—*Vide Note (3) to section 6 of the Act, page 48.*

8. Licences for export to Cantonments and Railway lands in Native States.—*Vide Note (2) to Rule 7, page 90.*

9. The authorities in Bengal empowered to grant licences for the export of arms, ammunition or military stores to Indian States are the Secretary to the Government of Bengal, Deputy Commissioner of Police, Calcutta, and the Political Officer in Hill Tippera, for the places and subject to the conditions prescribed in Schedule VI of the Indian Arms Rules, 1924. The export of arms ammunition or military stores to a State in India no longer requires the previous sanction of the Political Officer for such State, where the consignee is—(i) a Ruling Prince or Chief, (ii) a gazetted officer in civil employ or an officer holding His Majesty's Commission, (iii) a member of the family of the Ruling Prince or Chief or a noble or an official of a State in India who has been designated in this behalf by the Local Government or Political Officer concerned, (iv) a person included in any of the categories in Schedule I and the consignment is intended for the personal use only of the consignee. (*Vide proviso to rule 39 (1) (a) of the Indian Arms Rules on page 115.*)



- 11 Under section 9 of the Sea Customs Act, VIII of 1878, the

in the coasting trade or in the mercantile service, be required to contain a list of all arms and ammunition carried by such vessels as a part of their equipment or armament and likewise of all arms and ammunition being the personal property of the master, the officers and the crew on board such vessels. This information must be furnished in the manifest for each port to which the vessel is bound. (Notification dated the 7th Sept 1889)

12 It is notified for general information that in exercise of the powers conferred under section 157 of the Sea Customs Act VIII of 1878.—

The provisions of sections 55 and 63 of the Act are extended to coasting vessels owned and manned by natives of India and to vessels plying under general passes under section 164 of the Act so far as regards the specification by the master, in the import and export manifests of all arms ammunition carried on such vessels as part of their equipment or armament and likewise of all arms and ammunition on board being the personal property of the master, the officers, and the crew working on board such vessels (Bengal Note, dated the 7th Sept 1889)

- 13 Export to Indian States —*Vide* Note (2) to Rule 17, page 97  
14 Export of cannon —*Vide* Note (1) to Rule 17, page 97  
15 Issue of transport licence for definite consignments —*Vide* Note (5) to  
Rule 24 page 100

- 17-18 Remission of fees for licences—*Vide* Notes to rule 46, page 121, *et seq.*

19. With a view to prevent the leakage of firearms through officers and crew of vessels calling at the Port of Calcutta, the following warning notice has been prescribed. The notice should be printed in heavy type under the signature of the Commissioner of Police, Calcutta, and distributed by him to shipping firms for circulation to officers and crew on the arrival of vessels and for posting up in conspicuous places on the ship. Copies should also be sent to Port Officer, Calcutta.

Officers and crews of vessels call on the ...

A similar notice with the requisite notification should be issued over the signature of the District Magistrate of Chittagong and distributed to the agents of shipping firms in Chittagong and to the Port Officer (Bengal No 13637 P-D, dated the 24th April 1916)

- April 1916 )  
 20 Application of Act to arms other than firearms.—As to (1) to (3) to  
 Schedule II, page 147 148  
 21 Prohibitions affecting Bayonets.—*Vide* Note (1) to (1) to Schedule II,  
 page 147  
 22 Prohibitions affecting Air Pistols.—*Vide* Notes (3) to (8) to Schedule II,  
 pages 147  
 23 Prohibitions affecting Daggers.—*Vide* Notes (1) to (5) to Schedule II, pages  
 147, *ante*  
 24 Prohibitions affecting Swords.—*Vide* Notes (4) to (8) to Schedule II, pages  
 147-148  
 24A Extension to Bengal of section 15 of the Act.—*Vide* Note to section 15  
 of the Act page 53  
 25 Lead Bullets and Ball Shot.—*Vide* Note (11) to Act  
 26 Sulphur.—*Vide* Note (13) to Schedule II, on page

28. With regard to the prohibition<sup>1a</sup> of going armed with daggers the question has been raised whether hunting knives should be treated as daggers. This is a question of fact to be decided in each case, but the double edged type of hunting knife with or without a guard should be treated as dagger, and the owner must obtain a licence to go armed with it. *Vide* case of Bishan Singh referred to in Note (23) to section 4 of the Act, page 43.

29. Payment of fees in cash.—*Vide* Note to rule 48, page 121.

30. Remission or Reduction of fees.—In exercise of the powers conferred by section 35 of the Court Fees Act, 1870 (VII of 1870) as amended by Part I of the First Schedule to the Devolution Act, 1920 (XXXVIII of 1920) the Governor in Council is pleased—

(1) to remit all fees payable under Schedule II of the said Act upon applications for the grant or renewal of licences or duplicates under the Indian Arms Rules, 1924, in respect of which a fee is payable under those Rules, and

(2) to reduce to one anna all fees, exceeding one anna, payable under the said Schedule upon other applications relating to licences or duplicates granted or renewed under the said Rules in all districts in the Presidency of Bengal. (Bengal Notn. No. 1711 Pl, dated the 17th June 1924.)

*Note.*—The effect of this notification is that the Court Fee payable on appeals against the refusal of a licence under rule 43 of the Indian Arms Rules, 1924, is one anna.

30. Fees for muzzle-loading pistols.—*Vide* Note (4) to Rule 46, page 121.

31. Fees for licences for sulphur.—*Vide* Note (3) to Rule 46, page 121.

32. Scale of arms for exempted persons.—*Vide* Note (14) to Schedule I, page 132.

33. Licence for excess weapons.—*Vide* Note (15) to Schedule I, page 133.

33A. Licence for ammunition of prohibited bores.—*Vide* Notes (5) and (6) to Rule 7, page 90, and Note (1) to Rule 28, page 104, *ante*.

34. Certificates of exemption.—*Vide* Note (16) to Schedule I, page 133.

35. Improper use of arms by exempted persons.—*Vide* Note (7) to Rule 3 page 88.

36. Registration of firearms by exempted persons.—*Vide* Note (17) to Schedule I, page 133.

37. Should there be any difficulty or doubt as to the adequacy or accuracy of any description or should any exempted person be unable to fill in the Enquiry Form (referred to in the preceding rule—*Vide* page 133) satisfactorily, an officer of suitable standing should be deputed, by previous arrangement with the person concerned, to fill in the form after inspection of the weapons. The form when received back from the exempted person should be grouped in Guard File according to entries in schedule I to the Indian Arms Rules. It is not necessary to maintain any regular registers as these guard files should suffice, while it will be an easy matter for the District Officer or the Commissioner of Police to forward the Form for any exempted individual to the officer in the district or town to which such person removes. To facilitate reference to the papers in the guard files an index should be prepared and kept up to date. (Bengal No. 1561-67 P. J., dated 1st April, 1920.)

38-42. Retainers.—*Vide* Notes (14) (i)-(v) to Rule 33, on pages 110-111, *ante*.

43. The following Notice which is published by the Army Dept. in the Calcutta Gazette in January and July every year indicates the authorities to whom applications for the services

of ex-sepoys should be made and the particulars that should be furnished in the application —

The services of pensioned and discharged sepoys of the Indian Army required for employment in civil capacities may be obtained on application to—

(i) Recruiting Staff Officer at the following stations —Peshawar for Pathans Jhelum for Punjabi Muhammadans, Jullunder for Sikhs and Dogras Agra for Rajputana and Central India Hindus and Muhammadans Delhi for Jats and Hindustani Muhammadans, Lucknow for Hindustani Hindus, Poona for Mahrattas and Dekhani Muhammadans (ii) Pension Pay Master, Madras, for Madrasis

All applications from employers should include the particulars shown below, and should be addressed to the officers referred to at the places above mentioned —

(1) Name of person or firm offering employment (2) Nature of, and place at which employment is offered (3) Proposed pay and Period for which employment is offered (4) Whether railway fare to place of employment will be paid or not (5) Whether return railway fare will be paid in case of pensioner being discharged for no fault of his own or after a definite period of service (6) Class of men required e.g., Sikh, Pathan, Dogra, etc

Reference should be made to this notice from time to time as changes in the details are not always reproduced in correction slips to the [Bengal] Manual

44 Persons desiring to employ ex-sepoys as armed retainers and guards for the protection of their property may be advised by the District Magistrate to submit their applications through him. When such applications are received, the District Magistrate should forward them to the Military Officer concerned after he has satisfied himself that they are in order and that the complete information required in the notice has been furnished. It is not of course intended that Government should assume any responsibility for the pay of the ex-sepoys, but, if District Magistrates think it advisable they may, before forwarding the application to the Military authorities, require the applicant to deposit a sum sufficient to cover the travelling expenses and the pay for a reasonable period of the men whom it is desired to employ. When such deposit has been made, the Military authorities should be informed (Bengal No 8926 P, dated the 9th Aug 1915 and No 6378—6404 P, dated the 28th April 1916)

45 Exemption of public servants —*Vide* Notes (3) and (4) to section 1 of the Act, page 40, *ante*

46. The following Government servants, who are in the opinion of the Local Government required to possess arms for the adequate discharge of their duty should be allowed a licence for one smooth bore gun, free of licence fees, provided there is no individual objection to the grant of an arm licence in the terms of item 7 of Schedule VII of the Indian Arms Rules, 1924, *viz*, (1) All subordinates from foresters upwards who are posted in the Dooars and Terai, *viz*, the lower parts of Kurseong and Kalimpong Forest divisions and in the whole of the Jalpaiguri, Buxa and three Chittagong Divisions,—(2) all subordinate officers, from forest guards upwards who are posted in the Sundarbuns —Provided that the Divisional Forest officer certifies that the applicant falls within these categories, and requires firearms for the purpose of self-protection in the course of his duties (Bengal Notn No 1658 Pl, dated the 5th June 1924)

46A Exemption from fee, etc.—*Vide* Note (2) to Schedule VII, page 161

47 Exemptions, etc —*Vide* Note (2) to Schedule I, page 127

48 50 Arms comprising the equipment, etc —*Vide* Notes (4), (5) and (6) to section 1 of the Act, page 40 *ante*

NOTE.—These orders [pages 39-40] apply to persons exempted under section 1 (b) of the Act. For the purposes of clauses (3) and (4) in Schedule VII of the Indian Arms Rules, 1924, the above (page 40) description of the equipment will apply to officers who retire after the 15th March, 1924. Such officers are therefore entitled to a free licence for two revolvers or two pistols or one revolver and one pistol which formed part of their equipment, provided that one of these weapons takes Government ammunition of .455 bore. Military officers who retired before the 15th March, 1924 are entitled to free licences for revolvers or automatic pistols which are proved to have formed part of their equipment when in the service irrespective of bore. For ex-officers of the Auxiliary Force, equipment has not been defined and licensing officers before issuing free licences need only satisfy themselves that the weapons for which exemption is claimed actually formed part of the officer's equipment. (India No. F-21-XXV-25 dated the 28th July, 1925).

51. In matters affecting the administration of the Indian Arms Act, 1878, the following functions should be performed by District Magistrates personally—

(1) the grant of licences for pistols and revolvers, (2) the grant, and cancellation of licence for all firearms, (3) the disposal of all cases in which a licensee fails to produce the weapons when he is called upon to do so after purchase or at other times, (4) the making of recommendations in all applications for exemption, (5) the issue of licences to go armed on a journey, (6) the issue of licences to deal in firearms, (7) the institution of all prosecutions under the Indian Arms Act, 1878. (8) the fixing of the quantity of ammunition to be allowed to a licensee in the case of weapons for which Government have prescribed a maximum limit, (9) the disposal of confiscated arms, (10) the inspection of unserviceable weapons, (11) the grant of rewards in cases under the Arms Act, and (12) disposal of applications for the inclusion of retainers under licences in Forms XVI and XX.

A District Magistrate may, however, by a written order, delegate his duties numbered (5), (9), (10) and (11) to the Additional Magistrate where there is such an officer and entrust to a Joint, Assistant, or Deputy Magistrate the verification of the deposit of Firearms when a licence is cancelled or an exemption is withdrawn, (Bengal No. 826—30P., dated the 28th Feb. 1913, and No. 5073 P., dated the 25th Aug. 1911 and E. B. and A., No. 4097—4101 P., dated the 23rd Dec. 1911.)

52. The following qualifications may be taken as rendering an applicant suitable for the grant of a licence and previous enquiry should not, as a rule, be necessary when these qualifications are forth-coming :—

(i) Membership of any order established by the Crown, or the possession of a title conferred or recognised by the Government of India or of the Kaiser-i-Hind Medal or a certificate of honour. (ii) Membership, past or present, of the Indian or Provincial Legislatures or inclusion in the list of Provincial Darbaris. (iii) Payment of not less than Rs. 500 land revenue or Rs. 100 in roads and public works cesses. (iv) Any payment of income-tax. (v) Being a Government officer in receipt of a salary not less than Rs. 100 per month. (vi) Being a commissioned or gazetted officer of His Majesty's Naval, Military or Air Forces, Indian Marine Service or a commissioned Indian officer of the Imperial Service Troops in active service. (vii) Being a pensioned officer who before retirement was by virtue of his official position included in any of the classes described in (v) or (vi) above. Where the qualifications in respect of payment of land revenue, cess or income-tax are possessed by a Joint Family they should be taken to qualify the head of the family to the same extent as if he possessed them personally.

While the qualifications stated should ordinarily be taken as rendering an applicant suitable for the grant of a licence for a rifle or smooth-bore gun not of prohibited bore and previous enquiry should not as a rule be necessary when these qualifications are forth-coming, it lies within the discretion of the licensing authority

to direct such enquiry when he considers that he cannot properly exercise his responsibility under the Act without further information as to the applicant, (Bengal No. 553—560 Pl, dated the 13th February 1924)

53 Licences in Bakarganj.—*Vide* Note to section 18 of the Act, page 62 *ante*

54. In the case of applicants for licences not falling within the classes specified in para 52 the Magistrate or the Commissioner of Police shall cause such enquiries as he considers necessary to be made as to the character and status of the applicant and his fitness to receive a licence, and should satisfy himself that the arms are reasonably required for the purposes stated in the application. Where considered desirable enquiries may be made through other agencies in addition to, or in substitution for, the police.

55. The grant of permits for the purchase of arms and ammunition before the issue of the prescribed licence is forbidden except when prescribed licence forms are exhausted and, it is necessary, to issue a provisional licence or permit. All that is necessary is to issue the licence with an endorsement that the weapon, when purchased, is to be produced within a certain time. Particulars of the weapon supplied should be entered by the dealer in the column provided for the purpose in Form XVI. (Bengal No 4043-4048 Pl, dated the 21st Nov 1921).

56. All applications for licences will be entered on receipt in the Magistrates' office in a "Register of application under the Arms Act" (Form No. 4) The entries in the register will be arranged by thanas, all applications being entered in one volume, which should last for several years. When a preliminary enquiry is necessary the application, with a copy of the enquiry (Form No 5), will be despatched direct to the officer entrusted with the enquiry. The Magistrate ordering the enquiry will invariably fix a returnable date, which in the case of applications forwarded to officers in charge of police-stations, and in the absence of special urgency, will ordinarily be one month ahead, so as to allow time for submission through the prescribed officers. The District Magistrate will pay particular attention to the punctual return of such applications. Blank spaces have been left against heading XII, [in Form 5], as it is not intended that the form should be regarded as precluding enquiry on other points, and the space allowed will enable additional information to be called for to meet local peculiarities. An enquiry, for instance, as to the number of guns already possessed in the village will not only be advantageous in itself but will bring the matter at regular intervals to the notice of the officer in charge of the police-station in which the village is situated. In the case of applications which are rejected the entry in column 7 of the register will be made in red ink for facility of reference, and before an enquiry report is submitted to the District Magistrate the register should be examined to see whether an application has been rejected within the last three years. Successful and unsuccessful applications should be kept in two separate guard files in chronological order. These are C class papers. In the event of a licence being granted on appeal to the Commissioner under rule 43 of the Indian Arms Rules the fact should be noted in column 8.

FORM 4. Register of applications, (Rule 56 above).

Serial No.	Date of petition.	Name and residence of applicant.	Purport of petition.	Preliminary order and date by which the report (if any) called for must be submitted.	Date of submission of report.	Final order and date.	REMARKS.
1	2	3	4	5	6	7	8

FORM 5. Form of Enquiry on an Application for a Licence (Rule 56 above).

- I. Name, age and address \* of applicant.
- II. Character of weapon and licence applied for.
- III. Where does applicant usually reside ?
- IV. Approximate income of applicant (or of family where he is a member of a joint family.) What sum, if any, does applicant pay as (1) income-tax, (2) chauki-dari-tax ?
- V. (a) Is applicant the head of the household ; if not who is ?  
(b) Do any members of his family living with or near him possess a licence ?
- VI. Is applicant or any of his near relatives concerned in any land dispute ?
- VII. Has applicant ever been concerned in any riot or other criminal case ?
- VIII. What is applicant's character (by general repute or from your personal knowledge) ?
- IX. Give other particulars regarding applicants antecedents.
- X. Are there any wild animals from the ravages of which it is necessary for the applicant to have a gun to protect his crops ? State the number of men and cattle killed during the year by wild animals in the village or neighbourhood.
- XI. If the licence is desired for protection of valuable property kept (at applicant's homestead, give a brief description of its situation and surroundings.
- XII. Miscellaneous,  
(a)  
(b)  
(c)
- XIII. Recommendation of the enquiring officer
- XIV. Form of licence recommended
- XV. Area for which recommended

*Signature of the enquiring officer.*  
*Remarks of the Sub-divisional officer.*  
*Remarks of the Superintendent of Police.*  
*Orders of the District Magistrate.*

NOTE.—Items III-XV are to be filled in and signed after a personal enquiry by the officer in charge of the police-station when this form is addressed to him, and this enquiry slip should be submitted through the sub-divisional Officer to the Superintendent of Police who will forward it to the District Magistrate but when enquiries are made by agencies other than the police the enquiry slip should be returned through Sub-divisional Officer to the District Magistrate.

57. Among the **proper reasons for refusing a licence** are—(1) Prevalence in the neighbourhood of riots and especially of riots in which firearms have been used and of serious land disputes likely to result in disorder. (2) Such misconduct of the applicant or his near relatives or dependents as causes reasonable apprehension that a gun may be misused. (3) Culpable negligence resulting in the loss of weapon.

There are no orders in force at present **prescribing a maximum number of licences** for any District. The practice of making it a

\*NOTE.—See section 2 of Act XVI of 1908. Against this question it is to be stated whether the father of the applicant is alive or dead,

condition of the grant or renewal of a licence that the applicant shall subscribe to a work of public utility is expressly forbidden. An applicant who has a genuine need for a licence should not be refused a licence on the ground of his politics unless the District Magistrate has reason to apprehend that the gun may be misused. The policy adopted by Government is a liberal issue of licences for smooth bore guns (i) for protection and for sport in Form XVI, (ii) for going armed for the destruction of wild animals which do injury to human beings or cattle under Form XVIII, and (iii) for going armed for the destruction of wild animals doing injury to crops or cattle under Form XIX, subject to reasonable precautions against guns coming into the hands of persons who are likely to misuse them.

58 Licences for pistols and revolvers. *Vide* Note (4) to rule 33, page 108 *ante*

58-A. Proviso (i) to rule 33 (1) of the Indian Arms Rules, 1924, prohibits the grant of a licence for weapons of certain bores unless they have been lawfully imported into British India. The import of these weapons and ammunition is prohibited in rule 7 of the same rules. They can therefore only be lawfully imported into British India with the sanction of the Government of India. No licensing officer is competent therefore either to grant a licence for the possession of such a weapon before its import or to license possession after its import, unless he is satisfied that the import of the weapon for which the licence is issued has been sanctioned by the Government of India. This applies to weapon required for personal use as much as to any other class of firearm, and the restriction is to be closely observed. In the event of such a weapon arriving at an Indian port it will be detained under section 6 of the Act, pending orders of the Government of India. (H D No F.-21-XVII-25 Police dated the 9th September, 1925)

59 60. Renewal of licence in a district other than that in which it was granted see Note (7) to Rule 33 page 108, and Note (2) to Rule 42 page 118

61. Application for licences may, outside the town of Calcutta, be received by any Stipendiary Magistrate for transmission to the District Magistrate. (Rules of 24th March 1879),

62. All India Licence.—*Vide* Note (8) under Rule 33, page 109.

63. Single Licence.—*Vide* Note (9) under Rule 33, on page 109

64. Licence for cultivators and shikaris.—*Vide* Note (10) under Rule 33, page 109

65. Ball and shot gun.—*Vide* Note (11) under Rule 33, page 109

66. 67. Automatic guns.—*Vide* Note (12) and (13) to Rule 33, page 109

68. Failure to produce arms.—*Vide* Note (2) to Rule 45 page 119

69 70. Air guns and air rifles.—*Vide* Notes (9) and (10) to Schedule II, on page 148

71. It is undesirable to keep a large surplus stock of licence Forms. District Officers should prepare their indents carefully and restrict them to a very small margin over known requirements. Care must be taken to see that the licence forms do not fall into improper hands and all licence forms in stock should be kept under lock and key in charge of a responsible officer

72. A register is to be kept in Form No 6 in the offices of all District Magistrates. It should be written up police-station by

police-station, with separate volumes for each. (Bengal No. 4296 P. D., dated the 22nd October, 1913)

FORM 6. Register of licences issued to persons residing in the police-station.

Serial number of licence.	Form of licence.	Description and weapon.	Number of gun.	Name, father's name and residence of licensee.	Date of issue of licence.	DATES OF RENEWAL.										REMARKS.  (Date of cancellation should be entered in red ink in this column.)
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	

73. All weapons that do not bear a maker's or importer's name and number must be stamped on the metal with the district letter and the district number. The stamping will be done as follows :—

(1) Rifles, on the barrel and breech. (2) Guns other than rifles, on the barrel. (3) Revolvers, on the barrel and cylinder. (4) Pistols, including automatic pistols, on the barrel.

Weapons bearing proper numbers on the metal need not be so marked unless their owners desire, but district Magistrates should comply with the wishes of any persons desiring weapon belonging to them to be marked for the purpose of identification.

The district letters are as follows :—

Bakarganj	...	...	...	...	B.
Bankura	...	...	...	...	B. A.
Birbhum	...	...	...	...	B. 1.
Bogra	...	...	...	...	B. O.
Burdwan	...	...	...	...	b B. U.
Calcutta	...	...	...	...	b C.
Chittagong	...	...	...	...	C. H.
Chittagong Hill Tracts	...	...	...	...	H. T.
Dacca	...	...	...	...	D.
Darjeeling	...	...	...	...	D. G.
Dinajpur	...	...	...	...	D. N.
Faridpur	...	...	...	...	F.
Hooghly	...	...	...	...	H. G.
Howrah	...	...	...	...	H. H.
Jalpaiguri	...	...	...	...	J.
Jessore	...	...	...	...	J.
Khulna	...	...	...	...	K.
Malda	...	...	...	...	M.
Midnapur	...	...	...	...	M. I.
Murshidabad	...	...	...	...	M. D.
Mymensingh	...	...	...	...	M. Y.
Nadia	...	...	...	...	N.
Noakhali	...	...	...	...	N.
Pabna	...	...	...	...	P.
Rajshahi	...	...	...	...	R.
Rangpur	...	...	...	...	R. G.
Tippera	...	...	...	...	T.
24-Parganas	...	...	...	...	A.



Un numbered and insufficiently marked fire arms which may be found in the possession of exempted persons should be numbered in accordance with the instructions given above E B and A, Jud Dept, No 83—87, dated the 29th Oct 1908 Bengal No 2262 P, dated the 21st March 1911, E B and A No 3753—57 P1, dated the 6th Nov 1911, and No 603—12 P1, dated the 26th Feb 1912)

74 Particulars of ammunition allowed should be endorsed by the licensing authority in the appropriate column of the licence against each weapon. The maximum amount of ammunition which may be possessed by the holders of licences in Forms XVI, XVIII and XIX of the Indian Arms Rules, 1924, is as follows

Description of arms for which ammunition is to be possessed	Maximum quantity of ammunition to be possessed at one time by holders of licences in Forms XVI, XVIII and XIX.	Maximum quantity of ammunition to be possessed during the year by holders of licences in Forms XVI, XVIII and XIX
1	2	3
Smooth bore muzzle load ing gun	No limit	No limit
Smooth bore breech load ing gun	No limit	No limit
Rifle 22 bore	No limit	No limit
Rifle of other bores	50 rounds	200 rounds
Revolvers and pistols	50	100

This removal of the limit does not apply to licences in forms XVII and XX which are only for a specific quantity of ammunition of any kind as indicated in condition 2 of those licences

The District Magistrate may at his discretion allow any reasonable quantity in excess of the limit prescribed to a person who can prove that he needs more ammunition.

75. In November of every year the officers-in-charge of police-stations should be called upon to report to the Superintendent of Police—(i) whether any licensee is dead, and (ii) whether there is any objection to the renewal of any licence. They should not comment on the suitability of each licensee on the list but state when definite objection is taken to the renewal of a licence, the grounds of this objection. The Superintendent of Police will forward the reports of the thana officers, together with his remarks, to the District Magistrate who will transmit them to the Sub-divisional Officer who is now empowered to renew licences in Form XVI under rule 42 (3), proviso (b), of the Indian Arms Rules. In the case of an adverse report on a licensee the District Magistrate should pass orders and the final decision will rest with him but in all other cases the Sub-divisional Officer is empowered to renew licences, without the orders of the District Magistrate on the list. The renewal of licensee will be reported to the District Magistrate or other authority issuing the licence for the purpose of making the necessary entry on the counterfoil, when this is not in the Sub-divisional office. The licensees whose licences are not to be renewed should be served with a notice calling upon them under section 16 of the Act to deposit their arms and the licences at the nearest police-station or with a licensed dealer within fourteen days

from the receipt of the notice. Those whose licences are to be renewed should be called upon by a notice circulated through thana officers, or by postcards addressed to the licensees, as most convenient, to submit their applications for renewal before the 1st of January.

76. The **production of weapons before renewal of licence** is based on rule 45 of the Indian Arms Rules, 1924, empowering the authority by whom a licence was granted to require the licensee to produce the licence. The policy of requiring the production of all weapons as a matter of course before renewal of licence has, however, been relaxed and the following principles should ordinarily be observed. The production of **automatic pistols and revolvers** before the renewal of licence should be required unless the licensing authority has definite reasons for dispensing with their production. In the case of shot-guns and rifles not of prohibited bore in the hands of literate persons in urban areas the production of the weapon should not ordinarily be necessary, but the licensee should be required to file with his application for renewal a declaration that the weapon in question is in his possession and in good condition and that the number of the weapon has been inspected and found to tally with that of his licence. Intimation to licensees to apply for the renewal of their licences, whether in the form of postcard or a notice served through the thana should state in all cases whether the weapon is to be produced.

77. In the case of illiterate persons and the majority of licensees in rural areas **production of the weapon before the renewal** of the licence will still be necessary in order to verify that the arms are in good condition and the number correct. A date should be fixed by the District Officer on which the weapons from each area are to be produced for inspection. This work will be done in the Sadar Sub-division by a Joint, Assistant or Deputy Magistrate and in other Sub-divisions by the Sub-divisional Officer. So far as possible it should be done on tour, officers fixing convenient centres such as police stations for the production of weapon and renewal of licences, instead of summoning licensees to the district or Sub-divisional head-quarters. The Officer deputed to carry out this work will be supplied, before the date fixed, with the orders of the District Magistrate or Sub-divisional Officer regarding the licences to be renewed and will, if the weapons pass the inspection, return them with the least possible delay to the licensees together with the licences renewed under the signature of the renewing officer.

78. In cases in which the **production of the firearms** is not considered necessary the licence may be renewed on an application received through the post enclosing the licence with the necessary certificate that the weapon is in good condition and that the number tallies with that in the licence. In such cases fees may be remitted in the form of non-judicial stamps or by money-orders or be deposited in the nearest treasury, the treasury *chalan* being enclosed with the application in token of payment of fees. Postage stamps should not be accepted in payment of fees for renewal of licences.

79 Licensees who are required to produce their weapons before renewal of their licence should ordinarily do so personally but they may be allowed to do so by duly authorized agent at the discretion of the officer granting the licence (Bengal No 3671-P, dated the 17th April 1913.)

80 Before a licence is renewed, special attention should be directed to the endorsements thereon (if any) of purchases of new weapons or of ammunition made during the year. Should any of the entries appear to be suspicious, or any of the purchases of ammunition exceed the limit endorsed on the licence in cases in which a limit is prescribed, the officer renewing the licence should cause such enquiries to be made as may appear to be necessary (Bengal No 602 P, dated the 29th Jan. 1913)

81. If due forethought is exercised and punctuality observed in making the arrangements it should be possible to carry out the inspection of arms and to return the renewed licences on the day on which production is ordered for each thana, the desirability of accomplishing this and so avoiding all unnecessary delay should be steadily kept in view. When a weapon does not pass the inspection and the renewal of the licence is refused, the owner should be instructed to deposit it forthwith at the nearest police station or with a licensed dealer under section 16 of the Indian Arms Act

82. In order to ensure that licences are annually renewed, it should be made the duty of some clerk in the Magistrate's office to report immediately after the 1st January of each year, what licences have not been presented for renewal. Applications received within thirty days after the expiry of the licence should ordinarily be renewed at the renewal fees proscribed. In the case of licences not renewed within this period it will be open to the District Magistrate in lieu of prosecution to levy the full initial fee payable on the licence. In serious cases steps should be taken to institute prosecutions against those who have failed to renew their licences. It is desirable to prosecute for neglect to apply for a renewal, not with rigour, but firmly, in order that it may be clearly understood that the provisions of the law will be enforced

83(1) *Vide* Note (7) under section 6 of the Act, on page 49

83(2) " " (6) " 25 " 78

83(3) " " (3) " 30 " 82

84 The power vested in sub inspectors of Police (in Bengal Govt, Notn No 10673 P., of the 12th November 1914 (*vide* Notes to sections 6, 25 and 30 referred to above) to search for and detain arms and ammunition is an important one. Its exercise should be limited to approved and trustworthy sub inspectors and to senior sub inspectors in charge of police-stations (Bengal No 10674-80 P, dated the 23rd November, 1914)

85 In pursuance of section 5, clause (b) of the Whipping Act, 1909 (IV of 1909), the Governor-General in Council is pleased to specify offences under the laws mentioned in the schedule hereto annexed, being offences punishable under the said laws with imprisonment, as offences for the abetment or commission of or attempt to commit which juvenile offenders may be punished with whipping in accordance with the provisions of the said section

## LOCAL RULES AND ORDERS [BENGAL.]

## The Schedule.

11. The Indian Arms Act, 1878 (XI of 1878), sections 19, 20, 22 and 23. (Extract from India Notn. No. 350, dated the 8th March 1910).

86-88. Rewards.—*Vide* Note (2) to section 28 of the Act, page 79-80.

89. Rules under section 16 of the Act, reproduced on page, 57.

90. **Arms deposited with dealers** fall under two classes, viz. (1) arms deposited for safe custody, and (2) arms deposited under section 16 of the Arms Act. Arms deposited with the dealers for safe-keeping should be entered in the register in Form 13 prescribed in rule 89 [page 57]. Arms entered in this register do not become automatically liable to forfeiture after a certain period. Dealers should see that arms are covered by a licence or exemption before being received by them for safe custody. Otherwise the arms are held to be deposited under section 16 and are liable to forfeiture if not disposed of within the prescribed period.

FORM 13. Register of firearms and ammunition deposited for safe custody prescribed under condition 3 of Licence Form XIII *Vide* (Rules 89 and 90).

Date of deposit.	Name of owner.	Address including village, police-station and district).	If exempted how.	Number, date, duration and form of licence and authority by whom granted.	Number and description of arms and ammunition.	How disposed of.
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91. Action to be taken when arms are stolen.—*Vide* Note (6) to Rule 3, page 88,

92. Directly a licence to possess arms, is cancelled whether under section 16 of the Act or by its renewal being refused an entry to that effect shall be made in the register of cancelled licences and shall be initialled by Magistrate in charge of arms register of cancelled licence, should be made thana by thana, in chronological order with an alphabetical index. These entries should be carefully examined at the time of granting licences under the Indian Arms Act, 1878, so as to prevent a person whose licence has been cancelled from obtaining a fresh licence through suppressing the fact of the cancellation of his former licence.

FORM 7.—Register of cancelled licences under the Indian Arms Act, 1878, [Rule 92].

Serial No.	Name of licensee, with father's name.	Address (quote also number of panchayati or Local Board Union).	Description and district of weapon and form and number of licences.	Date of cancellation and Magistrate's initials.	Reasons for cancellation to (briefly) with reference to records of police or criminal case (if any).	Date of receipt in Malkhana and number in Malkhana Register.	Magistrate's initial.	Final order of disposal.
1	2	3	4	5	6	7	8	9



## FORM 11. [Rules 94, 95, 96 and 102].

## ORIGINAL.

Serial Number.	Name of depositor.	Address.	Number of licence, if any, (note per whether licence is also deposited).	Full description of the weapon deposited, (number and maker's name, class of weapon, etc.)	Value.	Cause of deposit.	Date of receipt at police station.	Signature of the depositor or his agent.	Date of despatch to Court.	Remarks (manner of disposal) with initials of the officer in charge of the police station.	Duplicate Copy and Triplicate Copy. (11 Columns as in Original).
1	2	3	4	5	6	7	8	9	10	11	

95. In the case of arms, ammunition or military stores deposited at the police station by a licensed dealer under rule 3 of the rules reproduced in paragraph 89 (*vide* page 57), the sub-inspector shall enter them in the Register in Form 11 (under rule 94) In filling up column 4 he should enter the name of the licensee, and the designation of the issuing authority, as well as the number of the licence. He will then follow the procedure described in paragraph 94. The court sub-inspector and the clerk in charge of licences will also follow the procedure described in that paragraph. If the arms, ammunition or military stores belonged to a person resident in another district, intimation of their deposit shall be sent to the Magistrate of that district.

96. If a licence, which has been cancelled, is subsequently renewed, the Magistrate will, when the arms, ammunition or military stores are in deposit in the Malkhana, issue to the Court sub-inspector an order over his own signature to make over the weapon covered by it and will also send him the necessary licence and the triplicate copy of Form 11 received from the police-station. He will also inform the licensee that the licence has been renewed. The Court sub-inspector will then despatch the weapon with the licence and the triplicate copy to the officer in charge of the police-station in which the licensee lives and make the necessary entry in the Malkhana Register. The sub-inspector will acknowledge receipt of the weapon, the licence and triplicate copy of Form 11 and will enter the particulars of the weapon in the prescribed Register and will send for the licensee to take delivery of the licence and the weapon. The licensee on taking delivery will sign the Register and the sub-inspector will return the triplicate copy to the Magistrate with an endorsement signed and dated to the effect that the weapon has been duly delivered. If the arms, ammunition or military stores have been deposited with a licensed dealer, the licensee will be informed that his licence has been renewed and should then take delivery of it from the Magistrate's office. The dealer will be at liberty to return the arms, ammunition or military stores on production of the licence.

97. Disposal of confiscated or forfeited weapons. *Vide* note (3) to section 24 of the Act on page 74.

98. Arms and ammunition confiscated, unclaimed or otherwise unclaimed under the Sea Customs Act should be sold by the Collector of Customs by auction to licensed vendors or to persons who by licence or exemption are entitled to possess such weapons, the police being informed of the names and addresses of the purchasers in order to enable them to verify the sales. This does not include arms of prohibited bores like '303 and '450 which will be disposed of by the Ordnance Department, as in paragraph 97, on page 74. (Bengal No 2696-2697 S. R., dated the 29th Oct. 1921, and No. 3734 Pl. dated the 11th Nov. 1921).

99. Whenever guns or other arms in respect of which licences have to be taken by purchasers under the Indian Arms Act, are sold by public auction in execution of decrees, the Court directing the sale shall give due notice to the Magistrate of the district, of the names and addresses of the purchasers and of the time and place of the intended delivery to the purchasers of such arms, so that proper steps may be taken by the police to enforce the requirements of the Indian Arms Act. [Rule 107, Chapter I of High Court's General Rules and Circular Orders (Civil)]

100. All unclaimed arms and ammunition found in railway trains or in the premises of a railway should be forwarded by the officers of the railways concerned within a week, if possible, to the officers noted below —

## Railways

## Officers

East Indian Railway

}	District Magistrate, Howrah
	Commissioner of Police, Calcutta
	The nearest Magistrate
	District Magistrate, Howrah

Barasat Basirhat Railway  
 Tarakeswar Mogra Railway  
 Kalighat Falta Railway  
 Jessore Jhenuda Railway  
 Bankura-Damodar Railway  
 Burdwan-Katwa Railway

“  
 District Magistrate Jessore  
 “ “ Bankura  
 “ “ Burdwan

The District Magistrates and Sub divisional officers specified above should send the articles to the Commissioner of Police, Calcutta. The Commissioner of Police should arrange for their sale under proper safeguards to duly authorized persons only, and should remit the proceeds to the Railway authorities concerned. (Bengal No 2451-P.—D, dated the 21st Sep. 1911, and No 6797 P., dated the 13th Dec 1911, India No. 2106 R T, dated the 3rd Dec 1908, and No 1995, dated the 6th July 1911 and Bengal Nos. 9336 8 and 9341 P, dated the 15th Oct. 1914).

101. District Magistrates are required to furnish lists of licences yearly to officers in charge of police stations. Additions and alterations to these lists should be supplied quarterly to officers in charge of police-stations. (Bengal No 2941 Pl dated the 8th Aug 1921.)

102. Every sub-Inspector on assuming charge of a police-station shall personally compare the arms in deposit at the police-station with their descriptions in the Register in Form No 10

(under rule 94, page 243,) and enter a certificate to this effect in the register in his own hand, signed and dated.

103. Every sub-inspector on assuming charge of a court office shall **personally compare the arms in stock in the Malkhana** with their descriptions in the Arms Register of the Malkhana in Form 10 (under rule 94, on page 243) and enter a certificate to this effect in the Register in his own hand, signed and dated.

104. The Magistrate in charge of licences shall **examine the register of cancelled licences** once a month, and in any case in which delay has occurred he shall call on the thana officer for a report, and if on receipt of the report it appears to him that the fault lies with the licensee, he should submit the case to the District Magistrate for orders as to whether a prosecution should be instituted or not.

105. The Magistrate in charge of licences shall **inspect the Court Malkhana** twice a year and should compare the arms in stock with the Malkhana Register and with the register of cancelled licences.

106. **Vendors of ammunition should be required to take out licences under the Explosives Act** in addition to the licences they may be required to take under the Arms Act as **vendors of firearms**. It will be the duty of the District Officer or Commissioner of Police, to satisfy himself that the receptacle or building provided for the storage of gunpowder is secured against all reasonable probability of theft and he should, at the same time, insist by executive order that proper precautions are taken for the safe custody of any firearms kept for sale. In the event of any person failing to comply with the District Officer's demands, he should be warned that the penalty for this neglect will be the refusal of a renewal of the licence, and this penalty should be rigorously enforced. In extreme cases where immediate action is called to preserve the public peace, it is open to the Magistrate to cancel the licence under section 18 (a) of the Indian Arms Act. Licence for the sale of firearms and ammunition should ordinarily only be issued for shops situated at district and sub-divisional head-quarters. (E. B. and A. No. 3903-07 G., dated the 14th June 1910.) (Cf. U. P. Rules 33 and 38.)

107. **Shop-keepers are not required to take out licences in respect of saltpetre** or to keep accounts of saltpetre possessed and sold by them, except in the districts on the **external land frontier** of British India, viz., Jalpaiguri and Darjeeling. Except for such districts the figures for the sale of saltpetre need not be shown in column 22 of the statement under paragraph 2 "sale and verification" of the annual report on the working of the Arms Act. In the districts on the external land frontier, saltpetre is not exempt from the provisions of the Act, except within the limits laid down in item 7 of Schedule II to the Indian Arms Rules, 1924.

108. **Licensed vendors should protect themselves** by making reference to the District Officers in all cases in which there is any room for doubt as to the right of a would-be purchaser to possess the arms he is purchasing. By delivering arms, ammunition and military stores to any person, without previously ascertaining that he is legally authorised to possess the same, they render themselves



liable to imprisonment which may extend to six months or to fine or to both. District Magistrates should reply without delay to any reference made by licensed vendors with regard to the right of any intending purchaser to possess the arms he is purchasing. District Magistrates should not treat such reference as matter of mere routine, but satisfy themselves carefully that the persons in question are actually entitled to purchase the arms and ammunition in contemplation (Bengal No. 4803 P, dated the 10th August 1911.)

109 If in any licence issued in Forms XVI, XVIII or XIX the quantity of ammunition covered by the licence has not been noted an arms-vendor should refuse to supply any ammunition to the licensee and should return the licence to be properly filled in

110 Purchases of ammunition excepting that for shot guns and rifles of '22 bore by persons holding licences in Forms XVI, XVIII and XIX have to be entered on the licence by the seller. Orders therefore cannot be complied with till the licence has been received by the latter which involves delay and causes inconvenience to licensed dealers and their customers. This can be obviated if the person holding the licence deposits it with the dealer who can then enter purchases on the licence, and comply at once with urgent orders. The dealer must furnish the licence-holder with a receipt for the same which can be produced at once if the licence is called for by any person authorized to do so under Rule 44 of the Indian Arms Rules, 1924, and the licence itself can be called for and obtained from the dealer when necessary.

111. Registers in Forms 14, 15 and 16 have been prescribed for recording the sale of arms and the sale of ammunition. It is the duty of inspecting officers to see that the registers are actually maintained in the prescribed form. (Bengal No. 12161 P, dated the 21st December 1914)

FORM 14 Sale Book—section 17 (c) of Act XI of 1878 (For Calcutta only), (Rule 111)

C—Breech loading (not rifled)  
D—Double barrellled  
S—Single barrellled

d if Ind an	alcutta five station dis	pt if under ho of licence	9 or 8	6	5	4	3	2	(3) make s	Rifle cartridges B		Gun cartridges C		Patols or 10 Yelven ear tridges B	suppliar salt petre lead fuse or other materials	Result of verification.
										Loaded	Cases	Loaded	Cases			
Quantity	Bore	Quantity	Bore	Quantity	Bore	Quantity	Bore	Quantity	Bore	Quantity	Bore	Quantity	Bore	Quantity	Quantity	Quantity
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34



FORM 19. Sale of ammunition which can be fired from rifles of '303 or of '450 bore and from pistols and revolvers of '441, 445 or of any intermediate bore [Rule 112]

1	2		3	4	5	6	7	8
Description of ammunition.	YEAR		Name of purchaser.	Address	No and date of licence, together with the name of authority granting	Quantity sanctioned in licence	Quantity purchased	Balance remaining on the stock on each date
	Month.	Date						

113. Under sub-rule (4) of rule 28 of the Indian Arms Rule, 1924, every Magistrate and every Police Officer of and above the rank of sub-inspector in the Presidency of Bengal outside the town of Calcutta may, within the limits of his local authority, enter and inspect the premises of any licensed dealer in arms and ammunition and examine his stocks and accounts. In the town of Calcutta Magistrates and Police Officers not below the rank of inspector are so authorised. (Bengal Notification No 2801 P, dated the 16th March 1924)

114. No rule is laid down prescribing a scale for the inspection of shops. It is left to the Inspector-General of Police and the Commissioner of Police to issue instructions on the subject and to satisfy themselves that inspections are being made regularly. (Bengal No. 12161 P, dated the 21st Dec. 1914.)

115. All sales of arms should be verified. The verification of sales of ammunition is left to the discretion of the Commissioner of Police and the Superintendent of Police. The following sales, however, should always be verified: all sales of rifles, pistol and revolver cartridges, empty and loaded: sales of smooth bore cartridges exceeding 150 loaded and 500 empty. sales of gunpowder exceeding one seer. sales of percussion caps exceeding 500. sales of sulphur, leaden bullets and bird shot, exceeding the limit prescribed by Government, viz, bird-shot and leaden bullets 5 seers and sulphur 10 seers. (*Vide* Notes 11-12 to Schedule II, page 148, *ante*)

116. All dealers in arms and ammunition are required to send to the Commissioner of Police, Calcutta, and to the Superintendent of Police elsewhere a monthly return of the stock and sale of arms and ammunition in Form 17. Such returns should be preserved in the Police office for a period of ten years. (Bengal No. 12161 P., dated the 21st Dec 1914)



117. Dealers in arms and ammunition in Calcutta are required to submit weekly a transcript from their sale-registers to the Commissioner of Police who will verify such of the sales as relate to Calcutta. Copies of entries relating to Bengal outside Calcutta, will be sent in Form 12 by the Commissioner of Police to the Superintendents of Police concerned, who will cause the sales to be verified in accordance with the instructions contained in paragraph 115. They will return the verification slips, after noting the result of their enquiries to the Commissioner of Police who will then fill up the last column of the transcript from the dealers' sale book. Copies of entries in the transcript relating to other provinces will be sent by the Commissioner of Police to the provinces concerned.

## FORM 12 Sale Verification Slip, [Rules 117 and 119]

No \_\_\_\_\_  
 Date \_\_\_\_\_ THE SUB INSPECTOR TOWN \_\_\_\_\_  
 From the Commissioner of Police, Calcutta To \_\_\_\_\_  
 The Superintendent of Police,—District The Supdt of Police District \_\_\_\_\_  
 Please verify the following sale — From dealer \_\_\_\_\_

Date of sale	Name of purchaser	Full address (if mufussil, state village, police station and district)	Arms purchased (give description, including the bore, number and maker's name)	AMMUNITION PURCHASED		VERIFICATION REPORT AND REMARKS  (If exempted how? If licensed, state number date and by whom granted. If unverified, why?)
				Description	Quantity	

118 Verification may be made in whatever manner the Commissioner of Police or the Superintendent of Police considers most suitable, but the work should invariably be entrusted to officers possessed of tact, discretion and courtesy. Superintendents of Police will bring all cases of illicit transaction and all excessive purchases of ammunition by exempted persons to the notice of the District Magistrate.

119. The same procedure will apply *mutatis mutandis* in the case of sales in districts. Superintendents of Police will verify sales relating to their own districts and will send verification slips in Form 12 to the Commissioner of Police in the case of sales to residents of Calcutta and to the Superintendents of Police in the case of sales to residents in Bengal outside Calcutta.

120 In the case of the United Provinces and the Central Provinces, the Commissioner of Police for Calcutta and the District Magistrate for Bengal outside Calcutta should report purchases in Bengal by residents of those Provinces of the arms and ammunition specified below direct to the District Magistrate of the district in the United Provinces and the Central Provinces in which the purchaser resides and to the Deputy Commissioner of Hoshangabad and the Political Agent, Chhattisgarh Feudatory States, Raipur, respectively, in the case of purchasers residing in the Mokrai State and the Chhattisgarh Feudatory States. In the United Provinces it is open to the District Magistrates to verify any sales, but verification is obligatory in the case of rifles and their ammunition,

pistols, revolvers and their ammunition; air-pistols, walking stick-rifles and sword-sticks. In the Central Provinces, the Chief Commissioner has decided that no verification is necessary in the case of muzzle-loading weapons and ordinary powder and shot for them; or of breech-loading smooth-bore shot guns and shot cartridges; or of spare parts such as stocks, trigger-guards, fore-ends, sights, nuts and bolts. Purchases by residents of **Bihar and Orissa** from dealers or manufacturers in Bengal should be reported to the Deputy Inspector-General, Crime and Railways, Bihar and Orissa, by the Commissioner of Police for Calcutta and the District Magistrates for Bengal outside Calcutta. The Government of Bihar and Orissa have decided to verify the sales of the following:—

(1) Rifles and their ammunition. (2) Pistols and revolvers and their ammunition. (3) Air-pistols, walking stick-rifles and sword-sticks. (4) Imported guns. (5) Twenty per cent. of the sales of the country made smooth-bore guns of the breech-loading type (but verification slips should be sent to the Deputy Inspector-General, Crime and Railways, Bihar, in respect of all country-made breech-loading smooth-bore guns).

The Commissioner of Police, Calcutta, and the District Magistrate outside Calcutta should send direct to the Commissioner of Police, Madras, or the District Magistrate of the district concerned, as the case may be, **verification slips in respect of the following arms and ammunition** sold by dealers in Bengal to residents of the Madras Presidency:—

Rifles.		Air-pistols.
Revolvers,		Walking stick-rifles.
Pistols.		Ammunition for all the above.
Sword-stick.		

**Verification slips in respect of firearms** purchased by residents of the Civil and Military Station, **Bangalore**, should also be sent to the District Magistrate of that station. The Commissioner of Police, Calcutta, and the Superintendents of Police outside Calcutta should report, by sending verification slips to the officer mentioned below, the purchase of arms or ammunition by persons residing in or who are permanent residents of the **North-West Frontier Province** from dealers or manufacturers in Bengal:—

(i) In the case of residents of British districts, viz., Hazara, Peshawar, Kohat, Bannu and Dera Ismail Khan.	}	To the Superintendent of Police concerned.
(ii) In the case of residents of the Indian States of Amb and Phulera.		To the Deputy Commissioner, Hazara district, Abbottabad.
(iii) In the case of residents of the Indian States of Chitral and Dir.		To the Political Agent Dir, Swat and Chitral Agencies, Malakand.

**Purchases in Bengal by Residents** of the Provinces **other than those mentioned** above will be verified by the Commissioner of Police, Calcutta, and the Superintendents of Police outside Calcutta by forwarding the slips to the Province concerned.

121. When residents of Bengal, purchase arms and ammunition of any description in the United Provinces, the Central Provinces, Bihar and Orissa, the Madras Presidency, and the Civil and Military Station, Bangalore, it has been arranged that the district Magistrate of those Provinces and the station of Bangalore shall address the Commissioner of Police, Calcutta, when the purchaser

is a resident in Calcutta and in the case of the purchaser living in Bengal, outside Calcutta, the Superintendent of Police of the district in which he resides

122 The Commissioner of Police, Calcutta, will maintain a register in Form 8 showing the importation of arms by dealers. Licensed dealers when importing arms should be required to submit their bills of entry in triplicate and the triplicates should be sent by the Collector of Customs in weekly bundles to the Commissioner of Police for such use as may be required for police purposes. A register in form 9 shewing the importation of arms by private individuals should be maintained province by province in the office of the Collector of Customs, Calcutta. The Collector of Customs should forward transcripts of this register weekly to the province concerned and those relating to Bengal to the Commissioner of Police, Calcutta, who will verify the entries in the same manner as sales of arms. Transcripts of the register showing the import of arms by residents of Indian States should also be forwarded to the Commissioner of Police for record and verification through the local authorities.

FORM 8 Register of import of fire arms [Rule 122]

Serial No	Date of import	Vessel by which imported	Name and address of dealer	Name and address of private individuals	Description of weapon	Bore	Single or double barrel or number of chamber	Number of weapon	Maker's name	Date of sale	Name and address of purchaser	REMARKS
1	2	3	4	5	6	7	8	9	10	11	12	13

FORM 9 Register of the import of arms by private individuals [Rule 122]

I D R No and date	Vessel by which imported	Name address and profession of importer	Description of weapon	Bore of weapon	Single or double barrel	Number on weapon	Maker's name	Value	Drawback		Amount allowed
			A—Rifle B—Gun C—Revolver D—Pistol						No	Date	
1	2	3	4	5	6	7	8	9	10	11	12

123 Under section 3 of the Wild Birds and Animals Protection Act, 1912 (VIII of 1912), and in supersession of the late E B and

A. Govt.'s Notn. No. 1361 P. L., dated the 28th April 1911, issued under the Indian Arms Rules, 1909, the periods indicated in lists A and B [below] should be observed to be **close seasons for the birds and animals**, respectively, mentioned in those lists throughout the whole of the Presidency of Bengal. Bengal Notn. No. 8338 For., dated the 25th Aug. 1914, is hereby cancelled.

## LIST A.—THE WHOLE YEAR.

<i>Birds.</i>	<i>Animals.</i>
Laughing thrushes ...	Female buffaloes.
Babblers ...	
Whistling thrush ...	Rhinoceroses,
Nuthatches ...	Female bison, and in Jalpaiguri district,
Drongos ...	male bison.
Creepers ...	Female deer of all kinds.
Wrens ...	Female antelopes.
Warblers ...	Male deer when hornless or in velvet.
Shrikes ...	Female serow and gooral.
Minivets ...	Gazelles,
Orioles ...	
Grackles ...	
Starlings ...	
Mynas ...	
Fly-catchers ...	
Chats ...	
Robins and red starts- thrushes. ...	
Blackbirds and ouzels ...	
Martins and swallows ...	
Wagtails ...	
Pipits ...	
Larks (except ortolans) ...	
Sunbirds ...	
Pittas ...	
Woodpeckers ...	
Bee eaters ...	
Hoopoes ...	
Swifts ...	
Cuckoos ...	
Owls ...	
Hen florican.	
Adjutant ...	

## LIST B.—PART OF THE YEAR.

<i>Birds.</i>	<i>Animals.</i>
All wild ducks—1st May to 30th September.	Male bison—1st May to 31st August.
Male florican—15th March to 30th Sept.	All stags with horns not in velvet—1st
Jungle-fowl—15th March to 30th Sept.	May to 30th September.
Partridges—15th March to 30th September.	Male antelopes—1st May to 30th
Pheasants—15th March to 30th Sept.	September.
All pigeons and pea-fowl—1st March to	Hares—1st. May to 30th September.
30th September.	Male Serow and Gooral—1st April to
Ortolans—1st April to 31st August.	30th September.
Little egrets and cattle egrets—1st July	
to 31st August.	
King-fishers—1st January to 31st May.	



124 The following warnings have been issued by the Government of India to all sportsmen whether Europeans or others—

- (1) Not to trespass on standing crops without the consent of the owners
  - (2) Not to shoot peafowl or other birds and animals, regarded as sacred, in the vicinity of villages or habitations
  - (3) Not to shoot domestic animals, such as dogs and pigs
  - (4) Not to shoot in the immediate vicinity of villages, temples and mosques
- (India Resn. No. 1458-93, dated 27th September 1895, printed on page 187 *ante*)

125. There should be a single annual report on the working of the Arms Act in the form shewn below\*.—

It should be prepared in the first instance by the District Magistrate in such manner as he directs and submitted to Government through Commissioners of Divisions. In respect of Calcutta, the Commissioner of Police shall submit the annual report to Government in the Political Department direct. The report should be in respect of the calendar year and should be submitted by District Magistrates to their Divisional Commissioners on or before the 1st March. Commissioners in turn should submit to Government a consolidated report for their division on or before 30th April. The report of the Commissioner of Police should also reach the Secretariat by the 30th April. The Secretariat will give the Inspector-General of Police an opportunity of seeing the divisional reports for any remarks which he may have to make. The report should also contain a statement regarding Government guns distributed to panchayats and others. It is only in the disarmed district of Bakarganj that there has been any distribution of guns on a large scale. Accordingly such figures are required for that district only, and the Magistrate of Bakarganj should submit a statement on this subject, to be attached to the consolidated report submitted to Government. (Bengal No. 1122 P, dated the 26th January 1915, No. 11680 P, dated the 6th Sep 1917)

The report should also contain (a) a brief note on the working of the rules under section 16 of the Arms Act, as published with Notification No 1372 P. dated the 24th March, 1927, (*Vide* page 57 *ante*), and (b) a statement showing the total amount of fees realised during the year in respect of licences under the Act (Bengal No 3750-55 P1 dated the 12th November, 1921)

IN THE DISTRICT OF \_\_\_\_\_  
DIVISION \_\_\_\_\_  
TOWN OF CALCUTTA

PARAGRAPH 1.—MANUFACTURE—

(1) State whether the arms and ammunition are locally manufactured. If so, give any information you can collect about the character and approximate numbers of the arms manufactured (guns, daggers, etc.), and the kind of ammunition and its quality and quantity.

(2) What is the state of the factory or other places in which manufacture is carried on?

PARAGRAPH 2.—SALE AND VERIFICATION

Fill up the statement, (*Vide* Bengal Manual, page 186), showing the sale of arms, ammunition during the year 19—

(2) *Verification*—

What number of cases of sales of firearms were verified? Give the general results of verification, quoting any case of note, especially those in which facts of importance were brought to light during verification

\* Annual Report on the Working of the Arms Act for the Year 192—.

## PARAGRAPH 3.—STOCK AND SALE OF ARMS AND AMMUNITION

Fill up the statement (prescribed on p. 187, Bengal Arms Manual.)

## PARAGRAPH 4.—EXEMPTED PERSONS AND LICENCES.

(a) Fill up the list (prescribed on p. 188, Bengal Arms Manual.)

*List of persons exempted from the operation of certain provisions of the Indian Arms Act under Schedule I, clause 6 (c) of the Indian Arms Rules, 1924, up to the 31st Dec. 19 .*

(b) Fill up the list (Form on p. 188, Bengal Arms Manual.)

*List of persons holding life licences granted under para. 3 of Bengal Govt. letter No. dated the 7th Jan. 1924.*

## Licences—

Fill up the statement (prescribed on p. 189 of the Bengal Arms Manual.)

*Statement showing the number of licences issued under the Indian Arms Act during the year 19 .*

## PARAGRAPH 5.—PROSECUTION AND CONFISCATIONS.

(1) *Prosecutions*—(page 190, Bengal Arms Manual.)

(a) Fill up the statement showing the results of prosecutions and confiscations under the various sections of the Arms Act during the year 19 :—

PARAGRAPH 6.—REWARDS. (1) State the aggregate number of cases with the total amount of rewards granted—(a) by the Magistrate, and (b) by the Superintendent of Police in connection with the Arms Act. Details are not required.

(2) State briefly important cases and give names of officers who have done good service during the year. Details of every case are not required and only the names of the officers need be given whose services have been especially meritorious :—

PARAGRAPH 7.—THEFTS. Give a short account of the number of cases of thefts of firearms and ammunition with the general results and details of important cases during 19 .

PARAGRAPH 8.—MISCELLANEOUS. Give a General summary of any features of the year's work which call for special comment, and refer to any other important matter not mentioned in the above paragraphs.

### QUESTIONS FOR THE INSPECTION OF ARMS ACT DEPARTMENT.

1. Has the District Magistrate by a written order delegated any of his duties to a Subordinate Magistrate (para. 51.)? 2. Who is the Magistrate in charge of the Department? From what date has he been in charge? 3. When was the last inspection made—(a) by the Magistrate in charge, (b) by the District Magistrate? Has action been taken on the points noted by them? 4. Does the Magistrate personally perform the functions which he is required by para. 51 to perform? 5. What has been the total number of—(a) licensed arms; (b) licensed revolvers; in the district in each of the last three years? If there is any striking variation what is the cause of it? 6. How many licences are there in—Form XVI, Form XVIII, Form XX? Is proper use made of Forms XVIII and XIX (para. 64)? 7. Is a list kept of exempted persons as an index to the guard files prescribed in para. 37? 8. Are guard files of enquiry forms relating to them maintained in groups according to the entries in Schedule I? Are they complete (Para. 37.) 9. Are inquiries made from exempted persons in January every year to ascertain changes of address and particulars of new weapons possessed by them? Are steps taken to see that replies are promptly received and necessary changes made in the enquiry forms, (para. 36)? 10. In cases of exempted persons arriving from another District, does the District Magistrate obtain their forms from the Magistrate of the District from which they have come, (para. 36)? 11. Are retainers in the case of licensed weapons allowed only on the principles laid down in para. 38? 12. Are *parwanas* issued to their retainers by exempted persons and by private firms as prescribed by paras 40-41 (included as note (14) to Rule 33, page 108 *ante*.)? 13. Is the spare stock of *parwana* forms kept under lock and key in charge of a responsible officer (para. 40)? 14. Are licences granted on application and without previous inquiry to the class of persons described in para. 52? 15. Are all applications for licences duly entered in the "Register of Applications under the Arms Act" prescribed by para. 56? Are dates always fixed for the submission of reports and entered in column 5? Are applications for licences disposed of promptly? Are reports in cases in which preliminary enquiries are made received within the dates fixed and is action taken in cases where there has been delay in submitting reports, (para. 56)? 16. When a licence is refused, is the entry in column 7 made in red ink, and are new applications checked

with the registers of the past 3 years to see whether a previous application has been rejected, (para 56), and with the Register of cancelled licences, (para 92)? Are reasons for rejecting applications for licences adequate? 17 Are licences for pistols and revolvers granted by the District Magistrate himself and are reasons for granting them recorded? Are the automatic pistols and revolvers produced for renewal unless the licensing authority has definite reasons for dispensing with their produc-

... does the  
... is in his  
... has been  
18. Has  
... licensee  
... and key  
... written  
... unrisbed  
annually to officers in charge of police stations, (para 72 and 101)? 20A. Is the list  
of licences sent periodically to the police station?

... ed upon in Novr to report  
Is the procedure prescribed  
officers deal only with cases  
in which the licensee is dead or has lost the *thana*, or in which there is a specific  
objection to the renewal of the licence, (para 75)? 23 Is care taken to avoid all  
possible delay and inconvenience to licensees in inspecting arms and returning the  
renewed licences to their owners (para 81)? 24 Does the Arms Act clerk submit  
a list immediately after Jan'y. 1st of each year showing what licences have not been  
presented for renewal? Have proper measures been taken in all cases of failure to  
renew licences in the preceding year (para 82)?

Cancellation of lic  
licences and initialled  
26 Is the Register of c.  
index (para 92)? 27. Do *thana* officers send in arms which have been forfeited  
cancelled with Form 11 in triplicate, (para 94)?  
cancelled licences and the Arms register of  
weapon, the licence for which is cancelled, is

deposited and (2) that the licence for every deposited weapon is cancelled Does the  
Magistrate initial column 6 of every entry in the Register of cancelled licences  
in token of having satisfied himself that the weapon has been deposited and entered  
in the Arms Register of *Malkhana*? 29 Does the Magistrate examine the register  
of cancelled licences once a month and take action on delay in depositing weapons  
(para. 104)? 30 Does the Magistrate inspect the Court *Malkhana* twice a year  
and compare arms in stock with the *Malkhana* register and with the register of  
cancelled licences? Are reasonable measures taken to keep the arms in good condition  
(para 105)? 31 Does the Arms Act clerk initial column 11 of the Arms Register  
of the *Malkhana* in token of having been informed of the number assigned to the  
weapon on its deposit? 32 Is action taken under para 97 for the disposal of  
confiscated or forfeited weapons which are due for disposal before 15th March every  
year? 33. When arms are destroyed locally does the Magistrate appointed to  
supervise their destruction actually see them destroyed (para 97)? 34 Are reason-

... ed but the  
... sons within  
... erstood that  
... that he is  
... the District  
Magistrate in person and do subordinate magistrates convicting an offender submit  
the record to the District Magistrate with recommendations for rewards? Are  
rewards paid promptly, (para 86)? 36 Are the copies of the Arms Act Manual used  
by the District Magistrate, the Magistrate in subordinate charge, and the Arms Act  
clerk, corrected up to date?

## UNITED PROVINCES—LOCAL RULES AND ORDERS.

*Resolution of the Government of the United Provinces, No. 1719—VIII—225, dated the 3rd May, 1924, on the Report of the Committee appointed to revise the United Provinces Arms Rules and Orders with reference to the Indian Arms Rules, 1924.*

On November 3rd, 1923, the Government of India published in their notification under No. F.-829-1—23, the Indian Arms Rules, 1924. On the same date they issued Resolution No F.-829-1—22, in which they discussed the recommendations of the Indian Arms Rules Committee and indicated the questions which were left to the decision of the local Government. A small committee was then appointed by this Government to examine these questions. After full consideration of the report, the Governor in Council has been pleased to sanction a number of changes in the United Provinces Arms Rules and Orders, which will shortly be amended accordingly. Meanwhile a summary of the more important decisions is published for general information.

2. The Indian Arms Rules, 1924, have made a number of changes in existing practice. Some of these take effect without further action by the local Government. Among this may be noted that—

(1) Power is given to Sub-divisional officers to renew licences; (2) Fees payable on renewal of licences for fire-arms other than muzzle-loading weapons have been reduced by one-half; and (3) entries 11, 11-A, and 11-B, of Schedule I of the Arms Rules, 1920, have been abolished.

**Title-holders** and others who were formerly exempted under these clauses will now receive licences for life free of charge provided that they apply to the District Magistrate within six months of January 1st, 1924, or, in the case of those who were not in India on that date, within six months of their return to India.

3. In other cases executive orders are necessary in order to give effect to the orders of the Government of India, as framed in the Indian Arms Rules of 1924. These will be published in due course. Among these are the following:—

(1) Under rule 3 (1) (b) of the Arms Rules, 1924, all persons exempted are required to register the fire-arms or ammunition in respect of which they are exempted. It has been decided that this registration shall not be made annually and in respect of ammunition shall only be made at the time of the initial registration. After the initial registration an exempted person will be required to report to the District Magistrate any change in the arms in his possession in respect of which he is exempted. (2) Under rule 43 (1) a right of appeal is given when a licensing authority refuses to grant or renew a licence. It has been decided that this appeal must be made within 30 days of the order appealed against. It will be observed that no mention is made of the right of appeal against an order of cancellation under section 18 of the Arms Act, 1878. When a licence is cancelled in the course of a judicial proceeding, an appeal presumably lies in the ordinary course, and there seems no reason why, when appeals are allowed in cases of refusals to grant or renew a licence, an order of cancellation by a District Magistrate should not also be appealed against. It has therefore been decided that appeals against orders passed under section 18 (a) of the Arms Act, 1878, shall be allowed in the same way as appeals under rule 43 of the Indian Arms Rules, 1924. (3) Applications for the grant or renewal of licences may be made by post. This does not, however, affect the obligation of any licensee to produce the arms when required under rule 45; and it has accordingly been decided that applications for the renewal of cultivators' licences, Forms XVIII and XIX, shall not be made by post unless they are attested by the tahsildar after examination of the arms which they cover.

4. The following orders have been passed on the questions left to the decision of the local Government:—



18. Firearms captured as trophies.—*Vide* Note (16) to Schedule II, page 149.

19. Sulphur, lead, leaden bullets and bird shot.—*Vide* Note (17) to Schedule II, page 149.

20-21. Transport.—*Vide* Notes to section 10 of the Act, page 49, and Notes to Rule 19, page 99.

22. Import of rifles.—*Vide* Note (8) to Rule 7, page 91.

(Mauser and Bergmann Pistols.—Cancelled— (G.O.No. 3456 dated the 3rd July 1925.)

23. Importation of rifles with "sub-target rifle machines" is strictly prohibited.

24. Import licences under Explosives Act.—*Vide* Note (4) to section 6 of the Act, page 48.

25. Condition (b), column (3), against entry No. (8) of Schedule VI (page 154) does not apply in its entirety to Waziristan. All licences for export of arms and ammunition to persons residing or serving in Waziristan, should be issued by the District Magistrate of Meerut, only after previous consultation with the Political Agent, Tochi or Wana, as the case may be (India No. 533 G. dated the 30th June 1925.)

26-27.—Export to Indian States.—*Vide* Note (8) to section I of the Act, page 40, and Notes to Rule 19 on page 98.

28. Political officers to grant export licences.—*Vide* Note (4) to rule 19, page 98.

29. Export of arms for ruling chiefs.—*Vide* Note to Rule 39, page 116.

30. Export of cannon to Indian states.—*Vide* Note (1) to Rule 19, page 97, *ante*.

31. Ammunition of prohibited bores.—*Vide* Note (1) to Rule 28, page 104, *ante*.

32. Licences in forms IX and XII should be granted only for a specified quantity of arms and ammunition, the amounts being fixed by the licensing authorities on the merits of each case. In cases where the licensing authority is the local Government, District Magistrate should state, when forwarding the application for a licence, what quantities they recommend. (G. O. No. 2883 dated the 28th May 1920).

33. (i) Licences by vendors under the Explosives Act in addition to Arms Act, necessary. (See Bengal Rule 106, page 246).

(ii) Should any person who makes and sells fireworks combine with his trade the manufacture and sale of gunpowder or any of the articles enumerated in section 5 of the Arms Act, he will be required to take out a licence under the Arms Act according to Forms IX, X, XI or XII, as the case may be, or in Form A or B under the Explosives Act, endorsed to have effect under the Arms Act. [G. O. No. 1107, dated the 11th Sep., 1880.]

34. The orders conveyed in the preceding rule and in rule 37 do not apply to persons who only sell fireworks. In their case the police should watch that the conditions of the licence are not transgressed, and may inspect the premises of the licensees, and, if necessary, examine their books of account. [Rule on page 72 of U. P. Arms Rules, 1909, amended.]

35. Repairing arms.—*Vide* Note (7) under section 5 of the Act, page 47.

36. The authority for the supply of arms to a State should generally be held as sufficient authority for repairing the arms as necessary either—(a) by recall to the arsenal for repair and replacement of all unserviceable or lost components; or if the repair is undertaken by the State itself—(b) by the issue of components as necessary to replace unserviceable or lost or damaged parts. In the case of (b), the more important of the unserviceable components should be returned to the arsenal and issue of components in replacement of unserviceable or lost or damaged ones should be

made on indents submitted through the Political Agent concerned. The repairs or the supply of the necessary components, as the case may be, will be on payment [India No 970-D, dated the 16th April, 1910]

37. (a) Magistrates in granting licences under rule 28 of the Indian Arms Rules to manufacture, convert or sell or keep arms, ammunition and military stores, or to keep and sell the same, shall deliver to each licensee two books in the Forms A and C or B and D (as the case may be), the one to be kept up as showing his stock in trade, and the other for the purpose of showing the sales of each day. The pages of these books should be numbered from beginning to end, and the first and last page of each should be signed by the Magistrate, or some responsible subordinate, and sealed with his official seal. (b) The licensee will be required to pay the cost of these books. The Magistrate, in delivering these books to the licensee, will explain to him the necessity for keeping them up regularly, and the penalties attaching to failure to do so. (c) In order to ensure that all arms and ammunition received by dealers are brought to account in the stock books and subsequently in the day-books of licensed vendors, arrangements should be made for the timely examination of consignments on arrival by an officer not below the rank of officer-in charge of a police-station, (G. O. No 4096, dated the 23rd July 1925,) who should see that the necessary entry is made in the books of the firm. By the terms of the licence the articles must be available for exhibition within six days of the arrival of the consignment [G. O. No 2099, dated the 27th July, 1893]. (d) Except in the case of arms of European manufacture, which are already numbered and marked every licensed vendor of arms shall, previous to sale, stamp every weapon in a permanent manner with a number and mark, and shall on sale enter the number and mark of the weapon sold, whether of European or Indian manufacture, in column 4 of his day-book (Form C or D), forwarding forthwith within 48 hours a copy of the entry, to the Magistrate of the district in which he has his place of business, factory or shop. In addition to the number and mark a full description of the weapon sold shall also be entered in column 4 [G. O. No 1107, dated the 11th Sep 1889]

FORM A.—Stock book of \_\_\_\_\_, son of \_\_\_\_\_, caste \_\_\_\_\_, resident of mauza \_\_\_\_\_, pargana \_\_\_\_\_, district \_\_\_\_\_, licensed to (manufacture, convert, sell or keep for sale arms, ammunition and military stores)

1 Date	2	3 DESCRIPTION				4 Ammu- nition	5 Military stores
		ARMS					
		Rifles	Guns	Revolvers	Pistols		
Jany 1st	{ In Stock Added to stock Disposed of						
Jany 2nd		In stock					

NOTE —Details not provided in cols 3, 4 and 5 should be entered in Ms

FORM B.—Is identical with Form A above.

(OR FOR LARGE DEALERS)

Stock book.

Month.	Date.	Stock.	12 B.-L. Guns.	12 M.-L. Guns.	303 Rifles.	300 Rifles.	Revolvers.	32 automatic pistols.	48, 12, 16, 28, cartridge cases.	48, 12, 16, 28 loaded cartridges.	Loaded rifle cartridges.	Rifle cartridge cases.	Revolver cartridges.	Caps M.-L.	Caps B.-L.	197 cap anvils.	303 cartridges.	450 cartridges.	450 cases.	577, 450 cartridge cases.	Gunpowder.
																					lbs. o

[G. O. No. 789, dated the 8th March, 1909.]

FORM C.—Day book of \_\_\_\_\_, son of \_\_\_\_\_, caste \_\_\_\_\_  
 resident of mauza \_\_\_\_\_, pargana \_\_\_\_\_, district \_\_\_\_\_  
 licensed to manufacture, convert, sell or keep for sale arms, ammunition  
 or military stores;

1	2	3	4	5	6	7	8
Date.	Name of purchaser with father's name.	Caste.	Residence.	Articles purchased.	Price paid.	Form and date of licence held by purchaser, or if exempted from the operations of the Arms Act, the grounds of exemption.	Date on which report of sale was sent to the District Magistrate.

FORM D.—Is identical with Form C. above

[ Notification No. 2212-VI-1239, dated the 2nd June, 1916.]

38. Penalty for not taking proper precautions for the safe custody of gunpowder and firearms.—Similar to Bengal Rule 106, page 246.

39. Ammunition of the prohibited bores.—*Vide* Notes (5), (6) and (9) to Rule pages 90, 91.

(ii) Possession of rifles and revolvers of the prohibited bores. [India No. 2166-74, 454-66 and F-21-XXX-23 dated the 11th Sep., 1906, 14th Feb. 1907 and 23rd April, 1924, respectively] *Vide* Note (5) to Rule 7, page 90, *ante*.

Differentiation of prohibited and non-prohibited bores. *Vide* Note (6), to Rule page 90.

40. No limit has been fixed as to the number of rifles and shot-guns which may be possessed under a single licence. But the licensing authority is authorised to restrict at his discretion the quantity of arms which may be possessed by a licence-holder in particular cases.

41. The quantity of ammunition to be allowed to a licensee in respect of each weapon rests on the discretion of the licensing officer, provided that except in special cases the quantity shall not exceed—

(i) 200 cartridges for each sporting rifle; (ii) 100 cartridges for each revolver or pistol; and (iii) 250 percussion caps where one of the weapons is a muzzle-loader. These limits are the maxima to



be held at any one time by a licensee. They will not always be allowed as a matter of course; the licensing authority may at his discretion, reduce the allowance of ammunition in the case of any particular licensee. [U. P. No. 1719 dated the 3rd May, 1924]

42. Licences for pistols and revolvers [G. O. No. 23 dated the 2nd Jan., 1920, and G. O. No. 2440, dated the 5th May, 1920]—*Vide* Note (5) to Rule 33, page 108.

43. Forest rangers may ordinarily be granted licences for one shot-gun and one rifle each. They should not be allowed to possess a revolver or pistol unless special circumstances render the issue of a licence for such weapons in any particular case necessary. [G. O. No. 2991, dated the 4th June, 1920.]

44. Under paragraph 8 of \*Appendix III to the Army Regulations, India Volume II, Unit Commanders are empowered to grant passes for arms to soldiers proceeding on furlough. If such soldiers, however, are not serving with the Colours but are employed under a civil department they must obtain licences in Form XVI under the Arms Act, and such a licence can be granted by the civil authorities only. [G. O. No. 3072, dated the 27th Nov., 1895.]

45. Unit Commanders have been instructed to furnish District Magistrates with the names of such soldiers proceeding on furlough as are granted passes under paragraph 8 of \*Appendix III to the Army Regulations, India, Volume II, to carry and bear private arms, together with the description of the arms covered by the passes. A list of soldiers who have been granted such passes should be maintained in District Magistrate's offices, as the information may on occasion be useful. Paragraph 8 of Appendix III to the Army Regulations provides that when passes granted to soldiers proceeding on furlough are withdrawn or cancelled the Magistrate or Political Officer concerned is to be so informed. On receiving such information Magistrate should see that the arms held under the passes are surrendered or licences taken out for them. [G. O. No. 3695, dated the 12th October, 1894]

46. Licences to foreigners travelling bonafide for the purpose of trade—*Vide* Note (4) to Rule 28 page 104

47. Licences in form XX—Cancelled by India (For) No. 474 dated the 8th May, 1925

48. Relainers included in Licences—(*Vide* Note (14) to Rule 33, page 111)

49. The Sub-divisional Officers of Lalitpur, Roorkee, Deoria-Kasia, Karwi and Mahoba are authorised to issue licence to person within their sub divisions. [Res No 5572, dated the 10th Nov, 1919].

50. Persons of approved character and status are *prima facie* entitled to licences for the possession of rifles, other than prohibited bores, and smooth bores in particular. Such licences may be granted on applications unless there are clear reasons to the contrary to persons who possess any of the following qualifications—

(a) Membership of any Order established by the Crown, or the possession of a title conferred or recognized by the Government of India or of the Kaiser-i-Hind medal or a certificate of honour signed either by the Viceroy or by the Head of a local Government or Administration (b) Membership, past or present, of the Indian or a Provincial Legislative Council or inclusion in the list of Provincial Darbars (c) Payment of net less than Rs. 1,000 per annum land revenue (d) Payment of income tax on an income of not less than Rs. 3,000 a year for

the three years preceding the issue of the licence. (e) Being a Government officer in receipt of not less than Rs. 250 per mensem. (f) Being a commissioned or gazetted officer of His Majesty's Military or Naval Forces or His Majesty's Indian Marine Service or a commissioned Indian officer of the Imperial Service Troops in active service. (g) Being a pensioned officer who before retirement was by virtue of his official position included in any of the classes described in (e) or (f) above. (h) Being an honorary magistrate, honorary munsif or honorary assistant collector [Res. No. 5572, dated the 10th November 1919.]

51. Village headman of good position or meritorious service should be considered as having a claim to be allowed a gun licence superior to the claims of other residents in the village.

52. Where an enquiry is found to be necessary as to the character and status of an applicant for a licence, such enquiry may be made through other agencies in addition to or in substitution for the police and should not involve undue annoyance to the applicant. [India resn. No. E-829-1-22, dated the 3rd Nov. 1924.]

53. Licences in Form XVI should only be issued to respectable men who are free from all suspicion of connection with criminals, and who may be confidently relied on not to use, or to allow the use of, the arms for improper purposes. [G. O. No. 2147, dated the 5th Aug. 1897.]

54. Licences in Form XVI should ordinarily be made valid by the licensing officer throughout British India, except Assam, the North-West Frontier Province, and the district of Malabar in the Madras Presidency, and should be granted for periods expiring on the 31st December. Where special reasons exist and are recorded licensing officers may restrict the validity of licences. [G. O. No. 620, dated the 6th April, 1921.]

The district officers of the Benares division and the district officer of Allahabad are empowered, with reference to condition No. 3 of licence form XVI, to make licences granted in that form valid for the Benares State, provided that a copy of each such licence is forwarded to the Benares Darbar. Similarly the Darbar can make their corresponding licences valid for the Benares division and the Allahabad district, if they forward a copy of such licences to the district officer of the British district concerned (G. O. No. 894 dated the 16th Feb. 1926 and No. 4161-127 dated the 30th June 1926). In the case of the Malabar district if a licensee wishes to visit that district he should be instructed to get his licence endorsed by the District Magistrate of Malabar to make it valid in that district. [G. O. No. 1901, dated the 25th May, 1923.]

55. Instructions for facilitating the grant, renewal and distribution of arms licences in Form XVI :—

(1) Applications for licence in Form XVI or for renewals should either be written on impressed paper of the prescribed value or accompanied by a cash payment of the requisite amount and should ordinarily be presented or sent by registered post to the licensing authority so as to reach him by the 15th December preceding the date of expiry of the licence. (2) A licensing officer may, if necessary, require the personal appearance of the applicant. All applications for licences in Form XVIII and XIX and for renewal of the same should be made in person, unless they are attested by the tahsildar after examination of the arms they cover. (3) If an application be for renewal of a licence, no enquiry should ordinarily be necessary beyond a reference to the register in Form G. [U. P.] Appendix I, appended to these rules, but the Superintendent of Police should bring to the notice of the Magistrate during the year any irregularity or breach of the rules framed under

the Act, or of the conditions of the licence, and an abstract of such report and of any orders which may have been passed thereon should be entered in column 10 of this register (4) It is not necessary to issue fresh licence forms on every renewal of a licence. A space is provided in the form which should be utilised for the purpose (5) Licences should be delivered by the 15th January at the latest, and it should appear in person and take delivery on that date or on a date to be fixed by the licensing authority, or to have them sent through the village chaukidar or by registered post (6) Licences to be delivered through village chaukidars should be sent through the office of the Superintendent of Police, accompanied by a list and

should be endorsed on the invoice, and on the occasion of his following visit to the police station the chaukidar should return the invoice signed and dated by the recipient and report the date of actual delivery (7) The list and invoice should be sent to the Superintendent of Police who should give notice of the licensing authority and the date when the licence is to be taken place in the delivery of the licence. The Superintendent of Police should ordinarily be furnished with a copy of the licence for compliance with rule 66 of the Police Act of 1889, as modified by G O No 1209, dated 3rd May, 1924, and G O No 5337, dated the 23rd July 1925]

56 Officers in charge of police stations should bring to the notice of Superintendents of Police all cases in which licences to carry arms are granted to men of bad character. Superintendents of Police should after careful personal enquiry in each case and after satisfying themselves that the information on which the licence-holder is classed as a bad character is correct, bring these cases to the notice of the District Magistrate and apply for the withdrawal of the licences. [G. O No 1046, dated the 4th May 1892]

57 In licences granted in Forms XVI to XX the description of each weapon should be entered in detail in the column provided for the purpose. The amount of ammunition should be entered in the column provided for the purpose.

### United Provinces

41. Page 256 Insert the following as new rule 58 A —

"58A The weapon known as *Rhuca Auto and Burglar Gun* of American Manufacture, described below, should be classed as a pistol and all the restrictions in force in regard to the ordinary pistols and revolvers should be applied to it —

*Description* — Hammerless 20 bore, double barrel, breech loading, pistol grip, barrel ten inches, total length about eighteen inches

takes either shot or ball cartridges. (India No F 21-58-27, dated 20th Oct. 1927).

— Accurately described in English and Vernacular Licences in Forms XVIII and XIX for rifles should be granted very sparingly and with much caution. [G O No. 125, dated the 9th Jan 1895]

61 Renewal by Commissioners of licence in Forms XI and XII [G O No 206, dated the 19th Jan 1924] (Vide Note (3) to Rule 42, page 118)

62. Under rule 42 (3) of the Indian Arms Rules, 1924, a **licence can be renewed**, not only by the authority who granted it, but also by any **other authority** empowered to grant a licence of the description in question, and in cases of Forms XVI, by the Sub-Divisional officers. In these cases the authority renewing a licence may do so after such enquiry as it may consider necessary or on mere production of the licence and shall notify the renewal to the authority who issued the licence and to the last renewing authority. [Res. No. 1719, dated the 3rd May, 1924.]

63. When a **licence has been cancelled** by a licensing officer or District Magistrate, under section 18 (a) of the Act, or when the grant or renewal of a licence has been **refused for reasons to be recorded**, by the licensing authority, the licensee or applicant may apply for a **revision of the order**. All such applications shall be made within thirty days of the date of the order in question. If the licensing authority is subordinate to the District Magistrate, the appeal lies to the District Magistrate : in other cases the appeal lies to the Commissioner. [Res. No. 1719, dated the 3rd May, 1924.]

64. Every licensing authority shall keep a **register of the licences granted** by him under rule 28 of the Indian Arms Rules to manufacture, convert, sell or keep for sale arms, ammunition and military stores. Such register shall be in Form E (below). A copy of this register shall be furnished by the licensing authority to the Superintendent of Police. A register in English shall be maintained in the licensing authority's office giving the name of each licensee under the two heads of (a) head-quarters shops, and (b) outlying shops, and quoting the date of **inspection in each year** by (1) the Magistrate or his Assistant, and (2) the Superintendent of Police, his Assistant, or Deputy Superintendent of Police. The Commissioner, when on tour, shall examine and initial the register and see that the standing orders on the subject are complied with. [G. O. No. 824, dated the 29th march, 1904.]

FORM E,—Register of licence to manufacture, convert, sell or keep for sale arms, ammunition or military stores in district.

1	2	3	4	5	6	7	8					9
Tahsil.	No.	Name of licensee.	Father's name, caste, etc.	Place of business.	Date.	Quantity of arms and ammunition covered by the licence.	RESULT OF INSPECTIONS.					REMARKS.
							BY INSPECTORS OF POLICE.				By Magistrate or Superinten- dent of police.	
							Quarter— 1st. 2nd. 3rd. 4th.					

The Superintendent of Police will furnish to each officer in charge of a police station an extract, columns 1 to 7, giving the names of the persons living within his jurisdiction **who hold licences**; and each Circle Inspector shall receive from the Superintendent of Police an extract giving the names of all persons living in his circle who hold licences. Every Inspector, when

making the inspection directed in rule 80, shall enter in his copy of the register, in column 8, the date on which he made the inspection. If the inspection disclose no irregularity or breach of the rules, no report will be made, but if, at the inspection, any fact is brought to light which it is advisable that the licensing authority should know, the Inspector shall send a special report to him through the Superintendent of Police, noting in the column of remarks in his register the date on which the report was sent. Every subordinate Magistrate, Superintendent of Police, Assistant Superintendent and Deputy Superintendent of Police making an inspection, as directed in rule 80, shall send to the licensing authority a report of the result of his inspection for incorporation in the register.

At the close of the calendar year the Circle Inspectors shall send their registers to the Superintendent of Police for transmission to the licensing authority, who will enter in his register, the facts recorded by the Inspectors opposite to the name of each licence [Rule on page 74 of U. P. Arms Rules, 1909, modified] [G. O. No. 3386 dated the 16th November 1907]

65. A register in Form, F, (similar to Form E on page 266) shall be kept by the licensing authority of all licences to sell and keep for sale arms and ammunition and the same rules shall, *mutatis mutandis*, be observed with regard to this register as are laid down in rule 62 for the register in Form E [Rule on page 74 of U. P. Arms Rules, 1909, modified]

66. Separate registers in Forms G, H., and J, (given below) shall be kept by licensing authorities of the licences granted under rules 33, 35 and 36, respectively, of the Indian Arms Rules. The Magistrate will supply a copy of each of these to the Superintendent of Police. The Superintendent will furnish to each officer in charge of a police station an extract giving the parts that concern his jurisdiction [Rules on pages 74 and 75 of U. P. Arms Rules, 1909, amended.]

**FORM G—Register of licences to possess arms or ammunition and to go armed for purposes of sport, protection or display.**

1	2	3	4	5	6	7	8	9	10
Tahsil	No	Date of licence	Name of licensee	Father's name caste, etc	Residence	Number and description of weapons	Description of ammunition	Date of expiry of licence	REMARKS

**FORM H—Register of licences to possess arms ammunition or military stores in a district which has not been disarmed**

1	2	3	4	5	6	7	8	9
Tahsil	No	Date of licence	Name of licence holder	Father's name caste, etc.	Residence	Description of weapons	Where to be kept	Date of expiry of licence

FORM J.—Register of licences to possess arms, and ammunition for the purpose of destroying wild animals which do injury to human beings or cattle in district.  
crops.

Tahsil.	No.	Date.	Name of licence-holder.	Father's name, caste, etc..	Residence.	Place for which licence is valid.	Weapon.	Date of expiry of licence.	NOTE OF MAGISTRATE INSPECTING WEAPON AND LICENCE.					REMARKS.
									YEARS.					
									1st.	2nd.	3rd.	4th.	5th.	

67. **Fees.**—Under rule 46 (3) of the Arms Rules, the Governor in Council has **remitted all fees** payable in respect of the grant or renewal of any licence **in form XVI** by those persons mentioned in Schedule VII of the Arms Rules in respect of arms and ammunition entered in the second column of Schedule VII. [Notification No. 780, dated the 16th May, 1924.]

NOTE.—The following Government servants have been exempted by the local Government from payment of fees for licences in Form XVI in respect of all arms under clause (7) of Schedule VII, namely :—

(i) Justice of the Peace. (ii) Stipendiary Magistrates. (iii) All gazetted police officers. (iv) All excise inspectors in respect of a revolver or a pistol (v) (a) All gazetted forest officers, (v) (b) All forest rangers, in respect of one 12 bore gun each. (G. O. No. 1319 dated 20th March 1925, No. 3488 dated 4th July 1925 and No. 6507 dated 1st November 1924). [Res. No. 1719-VIII—225, dated the 3rd May, 1924.]

68. Under rule 46 of the Arms Rules, the Government of India have directed that **no fee** shall be charged :—

(a) in respect of the renewal of a licence granted in Form VI under rule 17 of the Arms Rules for the export to a State in India of arms, ammunition or military stores, in cases where the application for renewal is made before the expiry of the period for which the licence was granted and cause is shown to the satisfaction of the licencing authority why the licence could not be utilised within that period,

(b) in respect of the grant or renewal of a licence in Form VI for the export to a State in India of ammunition required for the use of a public railway or other public work. [India. No. 3 and 810, dated the 1st Jan. and 6th May, 1920, respectively].

69. **Remission of fees for licences to re-import.**—*Vide* Note (1) to Rule 46 (page 110) based on H. D. No. 808 dated the 6th May 1920, to the address of the Govt. of Bengal.

70. **Remission or reduction of fees payable under Schedule VII of the Arms Rules, 1924.** Identical with Bengal Govt. Rule 29, page 232.

71. **Fees for breech loading revolvers and pistols.** *Vide* Note (4) to Rule 46, page 121, based on India No. 456 dated the 14th March, 1920.]

72. For **three years' licences** the fee should be the sum of the renewal fees which would ordinarily be charged if the licences were renewed yearly. [Paragraph III of Form XVI, Schedule VIII, Indian Arms Rules, 1924.]

NOTE.—(i) In the case of breech-loading weapons one half of the prescribed initial fees are chargeable for renewal annually. (ii) The proviso to paragraph II (ii) under the head "Fee" in Form XVI does not absolve the holder of a licence in that form who fails to renew the same prior to its expiration from the provisions of section 19 (f) of the Arms Act, if after expiration of the licence he remains in possession of the arms in respect of which the licence was granted. [India No. P. 21-XIX-24 dated the 16th May 1924].

73. In cases other than those in rule 48, if **two or more people** are given a joint licence in respect of the same weapons, each must pay fees for them.

74. Where **cash payments** are made for licence fees such receipts should be credited to the head "XIX—Police—Cash receipts under the Arms Act." [G. O. No. 5337 dated the 30th Sept., 1924.]

75 76 Authority to detain arms and ammunition under section 6, of the Act, *Vide* Note (7) on page 49, and under section 13 of the Act *Vide* Note (1) on page 51

77 Officers employed under Government are required to exercise the utmost caution to ensure that arms being disposed of by them do not fall into the hands of persons not certified to possess them. Officers wishing to dispose of arms by private sale or public auction must ascertain that the would-be purchaser is entitled by law to possess them [G O No 1751, dated the 1st June, 1900 and G O No 1115 B, dated the 15th April, 1901]

78. A Magistrate or police officer receiving notice of sale of arms or ammunition under the second clause of section 5 of the Act should at once verify the purchaser's name and address as given by the seller. The responsibility for taking out a licence rests with the purchaser [Rule on page 72 of U P Arms Rules, 1909, modified]

78A District Magistrates or Superintendents of Police shall report all sales of ammunition by licensed dealers in their districts to the authorities of the purchasers' districts whether in or outside the province, (letter No 251 dated the 23rd March 1926) and the latter shall retain these reports after verifying the purchases when necessary, (G O No 7194, dated the 29th Oct 1926)

79. The following rules shall be observed by Magistrates and police officers in connection with the verification of sales of arms by local dealers —

(1) On receipt of a "report of sale" of arms, ammunition or military stores from a dealer, the facts mentioned therein shall be entered in columns 1 to 6 of the register in Form M

FORM M —Register showing sales of arms, ammunition or military stores by local dealers in the district

Serial number	Name of dealer	Name of purchaser	Address of purchaser	Full description of articles giving size of bore number, mark, and maker's name in case of firearms	Date of sale	Whether sale is to be verified	Date of issue of verification slip	Date of reply	Result of verification i.e. whether purchaser is lawfully entitled to possess the articles and whether they are for his own use and whether weapon is still in his possession	Date on which report of sale was sent to the Deputy Inspector General of Police Criminal Investigation Department, United Provinces
1	2	3	4	5	6	7	8	9	10	11

(2) As regards column 7 of the register, verification of sales is obligatory in the case of—

(a) Rifles and their ammunition, (b) pistols, revolvers and their ammunition, (c) air pistols, (d) walking-stick rifles, and (e) all breech loading guns

In the case of other weapons and ammunition, also military stores, verification of sale is optional, but the District Magistrate shall pass orders as to whether the sale will be verified or not.

(3) If a sale is to be verified, the endorsement on the "report of sale" shall be filled in and despatched to the officer concerned (see the following rule), *without delay*.

(4) In the case of sales to persons residing in the United Provinces, the endorsement shall be addressed to the Magistrate of the district in which the purchaser resides. If the purchaser resides at a place outside the United Provinces, then the endorsement shall be addressed to the officer concerned as indicated in the list in [U. P.] Appendix K.

(5) If, in the case of weapons (not ammunition) of the kinds described in rule (2) above, the results of the verification prove satisfactory the "report of sale" shall then be sent to the Deputy-Inspector General of Police, Criminal Investigation Department, United Provinces, for information and record, the date on which it is sent being entered in column 11 of the register in Form M.

(6) If the results of the verification prove unsatisfactory, the District Magistrate will take steps to have the matter investigated without delay, and on the completion of the investigation shall take such further action as seems necessary.

(8) From the information furnished in the "reports of sale" received from District Magistrates (see rule 6 above), the Deputy Inspector-General of Police, Criminal Investigation Department, United Provinces, shall compile and maintain a provincial register which shall contain a full alphabetical list of the names of persons certified to be in possession of weapons of the kinds described in rule 2 above bought from dealers in the United Provinces, and a description of the weapons. [G. O. No. 2716, dated the 6th July, 1916.]

**80. The shop, premises and stock of every licensed vendor shall be inspected once in every half year by a police officer not below the rank of Inspector. A similar inspection shall be made annually by the Magistrate of the district or a subordinate Magistrate in the month of March, and by the Superintendent of Police, Assistant Superintendent of Police or Deputy Superintendent of Police in the month of October, of all shops situated at the headquarters of Districts. In the case of outlying shops, an annual inspection shall be made by a Magistrate and by the Superintendent of Police, Assistant Superintendent of Police or Deputy Superintendent of Police at any time during the year. It should be arranged, however, if possible, that there should be an interval of a couple of months at least between the visits of the inspecting officers. The practice of sending for and examining the books kept up by the licensed vendors cannot be regarded as an inspection, and is prohibited. Every officer making such inspection shall initial the stock and sale books of the licensee and at once report to the Magistrate of the district any irregularity or breach of rule which may have come to his notice. [G. O. No. 3047 and 3650, dated the 14th and 12th Nov. 1893 and 1897, respectively, and No. 3386, dated the 16th Nov. 1907.]**

In the case of larger firms in towns inspection should ordinarily be made oftener than twice a year, and police officer should specially examine the names of customers as entered in the registers and ascertain that they are really persons entitled to possess arms and ammunition. Inspecting officers should be careful to see that copies of the entries in the day book have been sent to the District Magistrate concerned, and District Magistrates receiving such copies should ascertain that a person claiming exemption from the provisions of the Arms Act is really exempt. [G. O. 93 dated the 16th Jan. 1903.]



Inspecting officers should see that column 8 "Date on which 'report of sale' was sent to the District Magistrate" in the day books in Forms C and D is duly filled in by the dealer [G. O. No. 2716 dated the 6th July, 1916]

Rule 34 authorises the police to inspect the premises of vendors licensed in form D to sell fireworks; inspection in such cases is desirable, although not obligatory. (G. O. No 932, dated the 5th May 1926.)

81. (1) Weapons for which licences have been granted in Forms XVIII and XIX shall ordinarily be inspected by a Magistrate

42. Page 271 "In rule 81 (1) delete the words 'if any' and omit lines 3 and 4 thereof."

43. At the beginning of Rule 82, add the following new sentence —

"The authorities empowered to grant or renew licenses are required to take action under rule 45 of the Indian Arms Rules 1924, and under the relevant conditions in form XIV to XVI, XVIII and XIX to verify the arms in the possession of licensees"

Delete the words "under rule 45 of the Arms Rules" from the existing second line of rule 82 and substitute the following for the last sentence of the rule. —

"Licensees are warned that in case they sell any arms or ammunition covered by the licenses possessed by them to any person (other than a person exempted under s 27 of the Act) they are required to give notice forthwith of the sale together with particulars as to the name and address of the purchaser to the magistrate of the district or to the officer in charge of the nearest police station. Failure to give notice as required above is punishable with imprisonment for a term which may extend to three years or with fine or with both (India No F-21-XI 25 dated July 5, 1927, and U P, G O No 5448-VIII 219 dated August 19, 1927),

should not be prosecuted under section 19 (b) of the Act.

83 Action to be taken when arms are stolen *Vide* Note (6) to Rule 3, page 88

84 Searches *Vide* Note (6) and (3) to sections 25 and 30 of the Act, pages 78 and 82

85 Treatment and Disposal of arms deposited under section 16 of the Act [ *Vide* page 57 ]

86 Disposal of forfeited arms and ammunition *Vide* Note (3) under section 24 of the Act, page 75

87. Rewards — *Vide* Note (2) to section 28 of the Act, page 80

88. To facilitate the description of a weapon and its identification, the system of stamping the arm with a number, and a distinguishing letter or letters for each district has been generally adopted. With reference to this system the following instructions have been issued —

(1) Both a number and a letter should be used Unless a letter is added it would be impossible to trace arms imported from a district other than that in which they are found (2) The letter used must be a distinguishing one e.g. it is not sufficient to use F for Fatehpur, in this case the letters F P would be the distin-

1 and the series used should apply to the number of the Form (i.e.,

(4) The arms should be stamped with the letter, they should not be branded,

as this practice disfigures them unnecessarily (5) It is not necessary that the

serial number of the licence should correspond with that of the weapon. (6) It is unnecessary to enter in the licence a detailed description of the weapon if the number and letters are entered. (7) It is unnecessary to mark weapons which already bear a distinguishing mark of some kind, e. g., the number and stamp of the vendor. [G. O. No. 2428, dated the 2nd Sept., 1895.]

89. Confiscation of arms.—*Vide Note* (3) to section 24 of the Act, page 75.

90. As a rule, offences cognizable under the Act, which were due to ignorance or carelessness, would be sufficiently punished by a fine; and imprisonment should not be awarded unless from the character of the offender or on any other ground it can fairly be presumed that the arms were kept for an unlawful purpose. Commissioners and Magistrates should scrutinise the proceedings of their subordinates attentively, should take pains to see that the law is not worked harshly, and should report to Government all cases in which excessive punishments were awarded, or arms improperly confiscated. [G. O. 1328, dated the 28th July 1885.]

91. With a view to enable District Magistrates to scrutinise the working of the Arms Act in their districts, the following form showing the punishments, etc., inflicted for breaches of the provisions of the Act, should be prepared at the close of every month and scrutinised by them. Commissioners of divisions have the option of calling for this monthly statement from any district:—

Return showing the punishments inflicted for breaches of the Arms Act,

District.	Names of persons punished.	Section and clause of Act under which punished.	Punishment awarded.	Remarks by Magistrate.
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[G. O. 2920, dated the 10th July, 1914.]

92. The exact procedure which should be adopted in searching for arms is as follows:—

(i) All parts of the United Provinces except that portion of the Mirzapur district lying to the south of the Sone have been disarmed. Consequently any one not coming under any exemptions, who has in his possession or under his control arms of any description, ammunition or military stores, except under a licence and in the manner and to the extent permitted thereby, is punishable under section 19 (f), Act XI of 1878, with imprisonment for a term which may extend to three years, or with fine, or with both. As this offence is one cognizable by the police (*vide* Schedule II of the Criminal Procedure Code), an officer in charge of a police station having reason, from information received or otherwise, to suspect that it has been committed, is empowered (section 157) to investigate the case, and in certain circumstances to search for the article (section 165), the unlawful possession of which he has reason to suspect. Similarly, a Magistrate taking cognizance (section 191) of such an offence might issue a search warrant under section 96, Criminal Procedure Code. In both cases the provisions of section 30, Act XI of 1878, and the orders issued under it would govern the procedure of the person conducting the search. The search must be made in the presence of one of the person specially appointed by virtue of office for the purpose (*vide* rule 81).

(ii) Mere speculative searches are not authorised by the law. Before taking action the police officer must have reason to suspect the commission of the offence and the Magistrate must either know or suspect that the offence has been committed, or must receive a complaint or police reports of facts which constitute the offence.

(iii) In ordinary cases relating to searches for unlicensed weapons possessed in contravention of the provisions of section 14 or 15, Act XI of 1878, section 25 of the Act will not apply. Section 25 would cover the case of a person even

lawfully entitled to possess arms who is believed to be about to use them for an unlawful purpose or who cannot be left in possession of them without danger to the public peace. It appears to refer to cases in which the Magistrate considers that arms whether under a licence or not are possessed for an illegal purpose or under circumstances such as to endanger the public peace (*vide* ruling in case of *Queen Empress vs Tegha Singh* I L R 8 Calcutta page 473—(referred to in Note (64) on page 69.) If a Magistrate finds it necessary to take action under section 25 the grounds of his belief that the person whose house is to be searched possesses arms for an unlawful purpose or cannot be left in possession of them without danger should be carefully recorded as prescribed by the provisions of the section [G O No 2285 dated the 3rd August 1893]

93 The High Court at Allahabad and the Judicial Commissioner, Oudh, have prescribed the rule given below regarding the sale by public auction of guns or other arms in execution of decrees. On receiving such an intimation from a Civil Court as is ordered in the rule, Magistrates should take action so as to ensure that the requirements of the Indian Arms Act and Rules thereunder are not contravened —

Whenever guns or other arms in respect of which licences have to be taken by purchasers under the Indian Arms Act XI of 1878 are sold by public auction in execution of decrees the Court directing the sale shall give due notice to the Magistrate of the district of the names and addresses of the purchasers and of the time and place of the intended delivery to the purchasers of such arms so that proper steps may be taken by the —

44 Page 273 substitute the following for rule 94 (1) —

94 (1) All applications for licenses whether granted or refused shall be retained for five years from the date of the expiry of the license, whether annual, biennial or triennial or from the date of refusal as the case may be. All applicants for licenses should state in their applications whether they have applied for a license previously, and if so with what result.

Substitute the word five for three in line 2 of rule 94 (3)

(U P G O No 1689 VIII 213 dated May 26 1928)

— — — — — If papers are deposited by a guardian on behalf of a minor the papers shall be retained for a period of five years from the date of the minor attaining majority

(3) Papers regarding the cancelling or suspension of licences (section 18 of the Act) shall be kept for three years unless there is any special reason for their retention for a longer period.

It should be understood that these rules do not affect any papers forming part of the record in criminal and police cases and dealt with as such under the rules of the High Court or Judicial Commissioner or of the Police Department [G O No 1718 dated the 15th Dec 1884]

95 (1) Magistrates should prepare at the close of each calendar year and submit to the Commissioner a report on the working of the Act during the year. This report should notice briefly the results of the various inspections prescribed by rule, convictions and punishments—particularly where special circumstances were held to justify very light or very severe sentences—rewards granted, any great increase or decrease in the number of licences granted and generally any facts of importance connected with the working of this Act. Forms K and L (below) should be filled in and submitted with the report. (2) It is the Commissioner's duty to review the district reports of his division, and to pass suitable orders on such matters falling within his province as require them. He should then prepare a divisional report, with

necessary statements, and submit it to Government by the 1st of March. If any of the required information is wanting, the Commissioner should call for it before submitting his report. [G. Os. No. 123, dated the 5th September, 1879; No. 256-A, dated the 3rd October 1880; No. 997, dated the 17th July, 1881; and No. 3082, dated the 10th December, 1892.]

95. (i) Information regarding the **number of exempted firearms**, cases of loss of firearms and crimes of violence in which firearms were used and Arms Act prosecutions in respect of firearms, as also a return of ammunition of different kinds purchased by residents of each district in the province, should also be furnished, with the report. District Magistrates should also in their reports also deal with the illicit possession of arms and ammunition in their districts and should report as required in para 3 of letter No. 251 dated March 23, 1926. District Magistrates should also mention in their reports any new cases in which they (or the subdivisional officers who are authorised to grant arms licences) order the barrels of guns allowed to agriculturists in form No. XIX to be shortened, and the commissioners should mention these cases in their divisional report. (G. O. No. 3245 dated the 25th June 1925, No. 4485-VIII 204 dated 7th August 1925, No. 251 dated 23rd March 1926 and No. 452P dated 9th June 1926).

*Vide pages affixed.*

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45 Page 274 Substitute the following for rule 95 (i) —

„95 (i) The following information should also be furnished —

1 Number of exempted firearms, 2 cases of loss of firearms, 3 crimes of violence in which firearms were used, 4 prosecutions in respect of firearms, and should be accompanied by a brief survey of the position which these statistics and those relating to licensed firearms disclose. Reference should be made in particular to the extent to which firearms have been employed in the commission of crime, including riots or unlawful assemblies, and in the exercise of the right of private defence" (G Os. nos 3245, 4485 and 7391, dated the 25th June 1925, 7th August 1925 and 18th November 1927)

46 Page 274. Add as new rule—

“96 District Magistrates should forward, in duplicate, direct to the Government, by March 15 at the latest each year, an annual return, in the form in appendix M. of licensed and exempted firearms in the possession of and ammunition purchased by, residents of their districts during the previous calendar year, as well as a brief report on the quantity of arms and ammunition believed to be held

Central Provinces	Dealer	
Bombay	Do	
Delhi	Do	
N W Frontier Province	Do	
Bihar and Orissa	Do	
Madras	District Magistrate	Magistrate of district in which purchaser resides
Punjab	Superintendent of Police	
Assam	Do	

In the case of Bengal, the Commissioner of Police, Calcutta, will send to the Inspector-General of Police, United Provinces, a consolidated statement of all purchases of arms and ammunition made by residents of this province in Calcutta, and in the case of purchases in Bengal, outside Calcutta, the Superintendents of Police concerned will send reports to the Inspector General of Police. The Inspector General in each case will send extracts to the District Magistrate concerned in this province" Nos. 1484-P. and 6 P, dated the 1st Nov 1927, and 13th Jan 1928)

48 Page 280 to 281 Appendix A Delete entries relating to—

- (1) Thakur Sheoraj Singh of Mayhola
- (2) Thakur Mazbut Singh of Hiranagar
- (3) Kanwar Partab Singh of Katera
- (4) Goshain Ram Charan Puri
- (5) Kumar Gajendra Singh Pal of Askote

and renumber the subsequent entries

49

Following entries,—

(1)

10

(2)

(3) Colonel Vinhyeshwar Prasad Singh, C I E, (Chief Secy)

10'

Add above the present entry (14) Chief Judge the name of—

Khan Bahadur Sayid Ahmad Hasan Chief Secy —

3 retainers,

and renumber the entries

dd—

4 retainers,



FORM K—Return of licences granted under the Indian Arms Act, XI of 1878, in the district of \_\_\_\_\_ for the year 19 \_\_\_\_\_ [Rule 95 (c), page 274]

Serial number	1	2	3	4	5	6	7										8	9							
Detail of licences in Form A III, VI, to VIII and X, to XX			Number of licences in force on the 31st December of the previous year	Number of licences in force at the beginning of the year	OPERATIONS OF THE YEAR		Number of licences in force at the end of the year	NUMBER OF WEAPONS COVERED BY LICENCES SHOWN IN COLUMN 6										Remarks							
					(a) New licences	(b) Renewed licences		(c) Licences in force at any time during the year which became void before its close	BREECH LOADING		MILITARY LOADING				Total number of firearms		Remarks		Number of licences covering ammunition of the prohibited bores (.303 and .450) (Rule 31)						
									Rifles	Smooth bores	Rifles	Smooth bores	Rifles	Smooth bores	Rifles	Smooth bores									
																				D	B	D	B	D	B
																				D	B	D	B	D	B
Number of licences in column 5 (c) which were revoked for breach of conditions of licence for misconduct of the licence holder (Rule 31)																									

Column 3.—In this will be entered all licences in force on the 31st December of the year previous to that for which the return is submitted whether the period of the grant expired on that date or not. The number will correspond with that in column 6 of the previous year's return.

Column 4.—The number of licences entered in this column is the number of licences in force on 31st December of the previous year (entered in column 3) which did not expire on that date.

Column 5.—(a) Enter, with the following exceptions, licences granted to persons who did not hold similar ones during the previous year. All licences granted during the year in Forms VI and VII will be entered in this column whether, or no similar licences were granted to the holders during the previous year.  
(b) Enter licences granted to persons who held one in the previous year in consequence of those licences having expired at the end of it.

Column 6.—Will be the total of columns 4 and 5 (a) and (b) minus the number in column 5 (c).

Column 7.—Note that those arms only held under a licence in force at the end of the year are to be entered. Thus, arms held under a licence in Form XX (to go armed on a journey) which expired during the year or under any other licence entered in column 5 (c) would not be included in this column.

Columns 3–7.—Suspensions of licences should be ignored in filling up columns 3–7 and noticed in column 9 "Remarks". Licences which are merely suspended are not to be held as "void".

Column 9.—If a licence in Form IX or X is granted to cover arms only or military stores only, this should be noted in column of "Remarks".





APPENDIX A.—[Rule 8—Vide Note (22) to Schedule 1 on page 135].

List  
Schedule  
has been

1

Division.	District.	Name, description of arms and No. and date of Notns.
Meerut	1. Debra Dun	(1) Raja Ranbir Singh—1 double barrel 570/500 bore express rifle by Alexeoder Henry.—1 double barrel 500/450 bore express rifle by Alexander Henry.—1 double barrel 12 bore gun by Alexander Henry.—1 double barrel 400 bore high velocity rifle by Bentley Clay Fair, Ltd.—1 Single barrel 360 bore bigb velocity rifle by Westley Richards.—1 Mauser pistol.—13 single barrel muzzle-loading guns with bayonets for the family guard. (G. G. O. No. 513, dated the 8th Marob, 1879.
		(2) Tegb Babadur Singh—7 rifles,—3 guns and 1 pistol. (G. O. No 1844 dated the 26th June 1896).
		(3) Mahant Lachman Das.—2 guns,—1 revolver. (G. O No 1453, dated the 21st May 1903).
	2. Sabarunpur	(1) Kazi Zafar Ahmad Khan.—1 gun,—1 revolver. (G O. No 2200, dated the 16th July 1909).
	3. Muzaffar nagar .	(1) Khan Babadur Nawab Muhammad Umar Daraz Ah Khan,—30 rifles,—10 revolvers and pistols,—20 guns for retainers in attendance or on duty in the ilaqa (No. 1293 dated the 11th June 1889).
Agra	4. Meerat	(1) Khwaja Gbulam Nasiruddin Khan —1 gun,—1 rifle and 1 revolver. (G. O. No. 1727, dated the 21st August 1886 )
	5. Bulandshahr	Ntl.
	1. Aligarh ..	(1) Muhammad Habib-ur-Rahman —1 double barrel breech-loading, 450 bore rifle, No. 3546, by Holland and Holland, 98, New Bond Street, London —1 double barrel breech-loading 500 bore rifle, No. 1001, by L. Hollis and Sons. 1 double barrel breech loading 27 bore rifle, Metford patent 167, No. B. 295, George Gibbs, 29, Corn Street, Brestt —1 single barrel 324 bore rifle, No 1894, Winchester Repeating Arms Company, New Haven Co, U. S A —1 double barrel breech-loading 12 bore gun No. 5448, by Thomas Turner, Brook Street Bond, London —1 double barrel breech-loading 12 bore gun No 54699, Woobard Place, London,—1 single-barrel breech-loading 8 bore gun. No. 15129, Army and Navy, C. S. L., London —1 double barrel 12 bore gun, No. 6954, by Watson brothers. Old Bond, S. W. London. 1 muzzle-loading five chambered, .. .. . six chambered, B Webley and f central fire single barrel breech-loading Colt 450 bore pistol No. 41,—1 central fire single barrel five chambered pistol by N. T. Daib, Calcutta. (G. O. No 2374 dated the 14th Sep. 1905 )

Division.	District.	Name, description of arms and No. and date of Notice.
	1 Aligarh ...	<p>(2) Muhammad Khalil-ur-Rahman.—1 breech-loading '12 bore gun by Manton &amp; Co., Calcutta—1 double barrel muzzle-loading '12 bore gun by Webster Richards, London.—1 double barrel breech-loading '16 bore gun by Cogswell and Harrison, London.—1 double barrel breech-loading '28 bore gun by X Co.—1 five chambered muzzle-loading '12 bore by Robert Arms, London.—1 five chambered breech-loading Young American double action pistol by Arms Company, Worcester, U. S. A.—1 pistol. (G. O. No. 3032, dated the 11th Oct. 1907.)</p> <p>(3) Thakur Matmatangdhvaj Prasad Singh of B. was.—1 breech-loading '12 bore gun, No. 15471, by R. B. Rodda &amp; Co.—1 muzzle-loading '12 bore gun, No. 8832, by Manton &amp; Co., Delhi.—1 '101 bore rifle, No. 15155, by R. B. Rodda &amp; Co., Calcutta.—1 '470 bore rifle, No. 80162, by D. Smith &amp; Co., Calcutta. 1 single barrel country made muzzle-loading gun. (G. O. No. 3680, dated the 1st Nov. 1912.)</p>

Division	District	Name description of arms and No and date of Notes
Agra	2 Muttra	(2) M Sakawat Ali—1 rifle (35 W C F) No 44173 Winchester Repeating Arms Company New Haven Co U S A—1 double barrel breech loading gun No 1094 Worn out—(G O No 2621 dated the 25th Sept 1911)
	3 Agra	Nil
	4 Mainpuri	(1) Chaudhri Maharaj Singh of Bharul—1 single barrel muzzle loading 12 bore gun No 12578 by R B Rodda & Co Calcutta—1 pistol No 57715 by Webloy and Scott Ltd London—1 single barrel breech loading 404 bore rifle No 7560 by Daffin Fab ck Mauser Oberndorf A/M—1 double barrel breech loading 8 bore gun No 2092 by G G Edwards & Sons—1 single barrel breech loading 32/40 bore gun No 83909 by Lyon and Lyon Calcutta (G O Nos 540 and 544 dated the 7th Feb 1916 and 1920 respectively)
		(2) Paras Ram Zamindar of Mauza Pargawan tahsil Bhongaon—1 Improved Paragon rifle No 8496—1 12 bore gun by R B Rodda & Co Calcutta—1 revolver No 101163 five chambered Arms Company Western Mass U S A—1 single barrel muzzle loading gun country made M P No 1973 broken—1 single barrel muzzle loading gun 1 double barrel muzzle loading gun—1 double barrel muzzle loading pistol—1 five chambered revolving pistol (G O No 2074 dated the 8th Aug 1892)
	5 Etah	(1) Kalewari Kunwar Rani of Awagarh—Nil (G O No 3448 dated the 2nd Oct 1912)
Rohilkhand		(2) Thakur Malkan Singh of Sarauth—2 single barrel muzzle loading guns—1 revolver (G O No 3448 dated the 2nd Oct 1912)
		(3) Lark Singh of Pithanpur—1 double barrel breech loading gun No 18822 I by Hall and Sons loading guns 1 single barrel untry made—885)
		(4) Thakur Jai Gopal Singh—1 Improved Paragon double barrel breech loading 12 bore gun—1 American pattern revolver 38 bore—1 rifle Ferren & Co Patent No 70133—1 American pattern revolver 38 bore (G O No 2479 dated the 8th July 1912)
	1 Bareilly	(1) Thakur Karan Singh—2 double barrel breech loading guns (G O No 2847, dated the 11th Sept 1905)

Division.	District.	Name, description of arms and No. and date of Notns.
Rohil- khand ...	1. Bareilly ...	(2) Babu Chandika Prasad Misr.—1 double barrel breech loading smooth bore gun.—1 single barrel muzzle-loading gun.—1 muzzle-loading carbine.—1 revolver, six chambered, central fire. (G. O. No. 1242, dated the 14th April, 1910.)
	2. Bijnor ...	(1) Kunwar Vishva Nath Rikh.—3 rifles, 2 shot guns, 1 revolver. (G. O. No. 3946, dated the 11th Dec. 1901.) (2) Kunwar Jaswant Rikh.—3 rifles, 2 shot guns, 1 revolver (G. O. No. 3946, dated the 11th Dec. 1901.) (3) Jang Bahadur Khan.—1 single barrel muzzle-loading gun. (G. O. No. 2312, dated the 17th July, 1906, and 4290, dated the 12th Aug. 1920 ) (4) Kunwar Bharat Singh.—2 double barrel rifles,—2 single barrel rifles,—3 double barrel guns,—1 revolver,—1 Mauser pistol,—1 walking-stick gun. (G. O. No. 1363, dated the 14th May, 1907.)
	3. Budaun ...	<i>Nil.</i>
	4. Moradabad	(1) Thakur Sheoraj Singh of Majhola.—1 muzzle-loading gun,—1 double barrel muzzle-loading gun,—1 single barrel muzzle-loading gun,—1 double barrel breech-loading gun,—1 muzzle-loading pistol. (G. O. No. 965, dated the 11th Aug. 1880.)
	5. Shahja- hanpur ...	(1) Kunwar Balwant Singh of Seramau, North.—4 guns. (G. O. No. 2151, dated the 4th July, 1902.)
	6. Pilibhit ...	(1) Shaikh Nazir Ahmad of Dang.—2 guns,—1 revolver, (G. O. No. 1417, dated the 1st June, 1904, and 956/VII—406, dated the 18th Apl. 1922.) (2) Chaudhri Munna Singh of Madho Tanda.—2 guns,—1 pistol. (G. O. No. 1417, dated the 1st June, 1904, and 956 dated the 18th Apl. 1922.)
Allaha- bad ...	1. Farrukha- bad ...	<i>Nil.</i>
	2. Etawah ...	<i>Nil.</i>
	3. Cawnpore	(1) Nawab Jafar Ali Khan of Gwaltoli.—1 double barrel breech-loading .450 bore rifle by George Roberts.—1 double barrel muzzle-loading .14 bore gun, No. 1922, by John Dickson.—1 double barrel muzzle-loading .15 bore gun, No. 6723, by Samuel Smith & Co., London.—1 double barrel muzzle-loading .18 bore gun by Samuel Smith & Co., London.—1 double barrel muzzle-loading .15 bore gun, No. 6703, by Samuel Smith & Co., London.—1 pistol, No. 7675, by Charles Lancaster, London.—1 single barrel Martini pattern rifle, No. 10425, by Jackerr. (G. O. No. 101, dated the 17th Jan. 1883.)

Division	District	Name description of arms and No and date of Notns
Allahabad	4 Fatehpur	<p>(1) Chaudhri Mahmud Yar—1 single barrel muzzle loading gun—1 double barrel breech loading gun No 2788 by J O Mayne London (G O No 1492 dated the 27th Aug 1883)</p> <p>(2) _____ading &amp; Co _____bore _____single barrel muzzle loading gun country made—1 Sherwood rifle 300 bore special cartridge No 4467 by Westley Richards—1 Savage Winchester 22 bore rifle by Lyon and Lyon Calcutta—1 455 bore revolver No 905 six chambered by R B Rodda &amp; Co (G O No 1453 dated the 21st May 1903)</p>
	5 Allahabad	<p>(1) Chaudhri Mahadeo Prasad of Allahabad—1 Webley revolver 1455 C F (new model) No 31272 by R B Rodda &amp; Co Calcutta—1 single barrel breech loading gun No 250094 by Harrington and Richards Arms Company Worcester Mass U S A pattern 27th Feb 1900 (No 12 G C Choke)—1 double barrel breech loading 12 bore gun 11149 by Adam &amp; Co London brought from Luscombe &amp; Co Calcutta—1 single barrel muzzle loading gun No X O O 1604 brought from Biswas &amp; Co Calcutta (G O No 1727 dated the 21st Aug 1886)</p>
Jhansi	1 Jhansi	<p>(1) Bhan Partah Singh of Napan—6 guns and 1 revolver (G O No 1492 dated the 27th Aug 1883)</p> <p>(2) Diwan Randhir Singh of Kairokhar—4 guns and 1 pistol (G O No 1492 dated the 27th Aug 1883)</p> <p>(3) Thakur Mazhut Singh of Hiranagar pargana Garautha—4 guns (G O No 117 dated the 21st March 1884)</p> <p>(4) Rao Khuman Singh of Kakarbai Ubaridar—9 guns (G O No 1093 dated the 22nd March 1905)</p> <p>(5) Thakur Bhawan Singh of Kakarbai—2 guns (G O No 534 dated the 20th Feb 1906)</p> <p>(6) Rao Dehu Singh of Rajwara Lahitpur—1 double barrel muzzle loading 20 bore gun No 750 (G O No 2771 dated the 7th Aug 1912)</p> <p>(7) Rao Jawahar Singh of Panchampur—1 double barrel muzzle loading 20 bore cap gun No 933 (G O No 2771 dated the 7th Aug 1912)</p>

Division.	District.	Name, description of arms and No. and date of Notns.
Jhansi. ...	1. Jhansi ...	(8) Kunwar Pahar Singh of Katera.—1 express 500 bore rifle, No. 2372, by Thomas Turner, Birmingham.—1 950 bore Ross rifle. (G. O. No. 4616, dated the 20th Oct. 1915, and Notns. No. 580, dated the 15th Oct. 1915, and 2717, dated the 8th Dec. 1921.)
		(9) Kunwar Partab Singh of Katera.—1 350 bore Ross rifle.—1 double barrel breech-loading 12 bore gun. (G. O. No. 4616, dated the 20th Oct. 1915, and Notns. No. 580, dated the 15th Oct. 1915, and 2717, dated the 8th Dec. 1921.)
	2. Jalaun ...	<i>Nil.</i>
	3. Hamirpur	(1) Babu Partab Singh of Malehta.—1 double barrel breech-loading 12 bore gun, No. 7975,—1 double barrel muzzle-loading 12 bore gun, No. 31.—1 revolver. No. 173, by Iver Johnson Arms' Cycle Works, Fitzburg, Mass, U. S. A. (G. O. Nos. 2947 and 4137, dated the 19th Aug. and 6th Dec. 1912, respectively.)
Benares ...		(2) Thakur Dallpat Singh of Basela.—1 double barrel breech-loading 12 bore gun, No. 7479,—1 single barrel muzzle-loading 12 bore gun, No. 51,—1 revolver, No. 2331, six chambered. (G. O. Nos. 2947 and 4137, dated the 19th Aug. and 6th Dec. 1912, respectively.)
	4. Banda ...	(1) Chaudhri Beni Prasad of Banda.— <i>Nil.</i> (G. O. No. 965, dated the 11th Aug. 1880.)
		(2) Beni Singh Mohar, Thakur of Mataundh.—2 revolvers, Nos. 39385 and 36827.—1 double barrel breech-loading 12 bore gun.—1 double barrel muzzle-loading gun.—2 single barrel muzzle-loading guns.—1 single barrel match-lock. (G. O. No. 2453 dated the 24th Aug. 1891.)
	1. Benares ...	(1) Mirza Akbar Bakht.—2 breech-loading or muzzle-loading rifles, 4 breech-loading or muzzle-loading guns, 1 breech-loading or muzzle-loading revolver. (G. O. No. 2798, dated the 6th Sep. 1905).
		(2) Babu Shyam Das.—2 guns. (G. O. No. 1647, dated the 7th June, 1907.)
		(3) Goshain Ram Charan Puri.—1 Snider rifle.—1 double barrel breech-loading 12 bore shot gun.—1 single barrel muzzle-loading shot gun.—1 single barrel breech-loading 12 bore gun. (G. O. No. 3201, dated the 15th October, 1908.)

Division.	District	Name description of arms and No. and date of Notes
Benares	1. Benares	(4) Ran, Ram Kunwar, Ausanganj Estate—34 Lahore made match locks,—7 broken barrels of the above type,—1 gold mounted presentation gun of the above type,—5 single barrel flint locks,—1 double barrel flint-locks,—1 blunderbuss flint-locks,—1 single barrel muzzle loader, percussion cap—1 single barrel muzzle loader, percussion cap (without stock) —3 double barrel muzzle loaders percussion-loading 12 bore rifle. <i>Pistols</i> 2 brass pistols (flintlocks)—5 steel pistols (flint locks),—1 brass pistol (percussion cap),—3 steel pistols (percussion cap),—1 revolver (percussion cap),—1 breech loading pistol, very small bore (for practicing),—1 old, rusty, toy pistol (cannot be used) (G G No 1878 dated the 31st May, 1910)
	2 Mirzapur	<i>Nil</i>
	3. Jaunpur	(1) Munshi Muhammad Nuh,—one rifle of 310 bore and one pistol (G G No 965, dated the 11th Aug 1880) (2) Maulvi Muhammad Husam of Machhlisshahr.—5 guns (G G No 3080, dated the 18th Oct, 1899)
	4 Ballia	<i>Nil</i>
	5. Ghazipur	<i>Nil</i>
Gorakhpur	1. Basti	(1) Har Narayan Pande of Jagdishpur—1 revolver. 2 pistols, 13 guns 2 rifles. (G G No. 965, dated the 11th Aug. 1880)
	2 Azamgarh	(1) Babu Ahmad Khan—2 guns (G. G No. 2538. dated the 9th Aug, 1906)
Kumaon	1 Naini Tal	(1) Kunwar Anand Singh—1 rifle, 1 gun, 1 pistol. (G. O No 1449, dated the 21st May, 1907, and No 2465, dated the 4th—6th May 1924)
	2. Almora	(1) .. rifle. 2 double barrel breech loading 12 bore guns 3 double barrel muzzle loading guns (G. O. No 956 dated the 11th Aug, 1880 and Cor. list No IV)

Division.	District.	Name, description of arms and No. and date of Notns.
Kumaon ...	2. Almora ...	(2) Kuar Anand Singh,—1 double barrel breech-loading '12 bore gun, "Paradox" Royal,—1 Hammerless Ejector gun, No. 15885, by Holland and Holland, London,—1 Browning revolver, No. 108265, six shot. 25 Cal. (G. O. No. 1700, dated the 26th May, 1900.
	1. Garhwal...	(1) The Rawal of Badrinath. 5 Guns. (G. O. No. 1740, dated the 29th July, 1889).
		(2) The Rawal of Kedarnath.—2 Guns. (G. O. No. 1740, dated the 29th July, 1889.)
Lucknow...		(3) The Mahant of Kamleshwer.—Nil. (G. O. No. 1740, dated the 29th July, 1889.)
	1. Lucknow	(1) Mirza Bakar Mirza Bahadur.—1 double barrel muzzle-loading rifle. No. 151, by Charles Lancaster,—1 double barrel muzzle-loading shot gun by Purdey,—1 double barrel muzzle-loading rifle.—1 double barrel breech-loading '16 bore shot gun, No. 12994, by R. B. Rodda & Co., Calcutta.—1 single barrel muzzle-loading rifle No. 4551 by Purdey.—1 single barrel muzzle-loading rifle No. 5532 by Smith,—1 double barrel pin-fire '577 bore rifle, No. 2376, by Thomas Jackson,—1 double barrel muzzle-loading '500 bore big pistol by D. Lovard,—1 six chambered breech-loading pin-fire revolver, No. 41,—1 seven chambered breech-loading revolver, No. 1, butt lid cap. (G. O. No. 139 dated the 18th Jan., 1890.)
		(2) Muhammad Sham-sud-din Haider.—Nil. (G. O. No. 4C., dated the 1st Feb., 1896.
Lucknow...		(3) Muhammad Ali.—Nil. (G. O. No. 4C., dated the 1st Feb., 1896.)
		(4) Sa'adat Husain Khan.—1 single barrel muzzle-loading gun.—1 single barrel muzzle-loading pistol. (G. O. No. 4C. dated the 1st Feb., 1896.)
		(5) Saiyid Dilwar Raza.*—1 double barrel breech-loading gun.—2 single barrel breech-loading guns.—2 five chambered revolvers. (Notn. by Govt. of Bengal, dated the 23rd March, 1886. (G. O. No. 2896, dated the 6th Sep., 1901).
Lucknow...		(6) Babu Binode Chandra Ghosal.† 1 double barrel breech-loading '12 bore gun. 1 single barrel breech loading '450 bore rifle. 1 Rook rifle. 1 six chambered '450 bore revolver. (G. O. No. 1844, dated the 20th June, 1896.
		(7) Muhammed Jafar Ali Khan. Nil. (Govt. of India, Notn. No. 518, dated the 6th March, 1879).

\*Now resides at Kishunganj in district Purneah, [Bihar and Orissa.]

†His name is transferred from the Bahraich district (Vide G. O. No. 2994, dated the 25th Sep. 1905.)



Division	District	Name description of arms and No and date of Notns
Lucknow	1 Lucknow	(8) "  1009—1 six chambered revolver No 7143—1 American six chambered revolver No 41144—1 small single barrel pistol—1 Rampuri stick consisting of a muzzle loading pistol 1 small double barrel pistol No 41—(G O No 3690, dated the 31st Aug 1914 and Notn No 3143 dated the 6th July 1918
	2 Unao	Nil
	3 Rai Bareilly	Nil
	4 Sitapur	Nil
	5 Hardoi	Nil
	6 Kheri	Nil
Fyzabad	1 Gonda	Nil
	2 Bahraich	Nil
	3 Sultanpur	Nil
	4 Bata Banki	Nil
	5 Fyzabad	Nil
	6 Partabgarh	Nil

APPENDIX B—List of persons of the Benares, Rampur and Tehri States, and their retainers who have been designated for exemption under clause 2 (i) and 4 of Schedule I to the Indian Arms Rules 1924 and who may be granted licences under rules 17 and 39 (1) of the Arms Rules, without the previous consent of the District Officers concerned

### Benares

1	The Maharajah	—	—	—	—
2	The Hon ble the Maharaj Kumar and his wife	—	—	—	—
3		—	—	—	—
4		—	—	—	—
5		—	—	—	—
6		—	—	—	—
7		—	—	—	—
8		—	—	—	—
9		—	—	—	—
10		—	—	—	—
11		—	—	—	—
12		—	—	—	—
13		—	—	—	—
14	The Chief Judge	—	—	—	—
15	The District and Sessions Judge	—	—	—	—

16.	The Collector, Bhadohi	...	...	3	retainers.
17.	The Collector, Chakia	...	...	3	"
18.	The District Magistrate, Ramnagar	...	...	3	"
19.	The Private Secretary	...	...	3	"
20.	The Deputy Collector, Bhadohi	...	...	3	"
21.	Captain Murli Singh	...	...	3	"
22.	The Aides-de-Camp to His Highness the Maharaja	...	...	3	" each.
23.	The Superintendent of Police, Benares State	...	...	3	"
24.	The Chief Medical Officer	...	...	2	"

## Rampur.

1.	Their Highnesses the Begam Sahebas	...	...	50	retainers each.
2.	The Heir-Apparent and other sons of His Highness	...	...	50	" "
3.	Sahebzada Sayed Mumtaz Husain Khan Bahadur	...	...	10	"
4.	Sahebzada Sayed Sajjad Ali Khan Bahadur	...	...	10	"
5.	Sahebzada Sayed Shabbar Ali Khan Bahadur alias Dullah Saheb	...	...	10	"
6.	Sahebzada Sayed Mahmud Ali Khan Bahadur	...	...	10	"
7.	Sahebzada Sayed Mustafa Ali Khan Bahadur	...	...	10	"
8.	Sahebzada Sayed Murad Ali Khan Bahadur	...	...	10	"
9.	Sahebzada Sayed Maqsood Ali Khan Bahadur	...	...	10	"
10.	Sahebzada Sayed Qudrat Ali Khan Bahadur...	...	...	10	"
11.	Sahebzada Sayed Ashaq Ali Khan Bahadur	...	...	10	"
12.	Chief Secretary	...	...	10	"
13.	Revenue Secretary	...	...	10	"
14.	Judicial Secretary	...	...	10	"
15.	Home Secretary	...	...	10	"
16.	Private Secretary	...	...	10	"
17.	Secretary for Irrigation	...	...	10	"
18.	Brigade Commander	...	...	10	"
19.	Financial Secretary	...	...	10	"
20.	Military Secretary	...	...	10	"
21.	Secretary for Commerce and Industries	...	...	10	"
22.	W. H. Clifford. Esq., Tutor to the Princes	...	...	3	"
23.	District and Sessions Judge	...	...	3	"
24.	Senior Medical officer	...	...	3	"
25.	Comptroller of the Household	...	...	3	"
26.	Chief Magistrate	...	...	3	"
27.	Hakim Sadar	...	...	3	"
28.	Settlement Officer	...	...	3	"
29.	Mufti Dewani	...	...	3	"
30.	Judge Small Cause Court	...	...	3	"
31.	Superintendent of Police	...	...	3	"
32.	Maulvi Farruki, Household Officer	...	...	3	"
33.	M. Muhammad Ahmad Minai, Household Officer	...	...	3	"
34.	Muhammad Wazir Khan, Household Officer...	...	...	3	"
35.	Mir Munshi Dar-ul-Insha	...	...	3	retainers
36.	Sarishtadar of Sadar	...	...	3	"
37.	Superintendent of Excise	...	...	3	"
38.	Dewan Sadar (Treasury Officer)	...	...	3	"
39.	Executive Engineer	...	...	3	"
40.	Electrical Engineer	...	...	3	"
41.	Director of Education	...	...	3	"
42.	Magistrates and Munsifs of Huzur Shahabad, Malik, Suar, Bilaspur and Tanda Tahsils	...	...	3	" each.
43.	Assistant Magistrates	...	...	3	" "
44.	Member of the Board of Audit	...	...	3	" "
45.	Bakshi	...	...	3	"
46.	Commanding Officers of the Rampur Lancers, Rampur Pioneers, Rampur Infantry, Artillery, Palace Guards and Gurkhas	...	...	3	" "
47.	Brigade Major	...	...	3	"
48.	Aides-de-Camp to His Highness the Nawab	...	...	3	"
49.	All Commissioned Officers of the Rampur Forces when passing through British India on duty	...	...	3	" "

## Tehri

1	Thakur Hari Singh Aides de Camp to His Highness	
2	the D <sup>y</sup>	2 retainers
3		2
4		2
5		1 retainer
6		1 each

### Appendix C.—Rules for the Export, Import and Transport of Arms, Ammunition and Military Stores on Railways passing through Indian States

Whereas Rulers or Administrators of the States mentioned in the second column of the Schedule hereto annexed have ceded to the British Government full jurisdiction within the lands which lie within their respective territories, and are occupied or may be hereafter occupied, by the railways mentioned opposite their names respectively, in the first column of the said Schedule (including the lands occupied by stations and out buildings and for other railways purpose) In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the foreign Jurisdiction and Extradition Act (XXI of 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that the following rule shall be in force on the said lands [India No 3573-1, dated the 23th Oct 1895]

I—In these rules 'arms' 'ammunition' and military stores" have respectively the meaning assigned to them in the Indian Arms Act (XI of 1878), except that the expression military stores" includes sulphur when in quantities exceeding 10 seers in weight, and leaden bird shot and bullets when possessed in quantities exceeding one hundred-weight at any one time

"Export" means transmission by rail from any station in any of the said lands to any station beyond the said lands

"Import" means transmission by rail from any station beyond the said lands to any station within the said lands

"Transport" means transmission by rail from one station in the said lands to another station in the said lands

*Explanation*—Arms, ammunition and military stores taken from one station to another in the said lands across intervening territory which is not within the said lands are transported within the meaning of these rules [India No 2143 B dated the 5th Aug 1898]

II—(a) The export, without the special permission of the Political Agent of arms, ammunition or military stores, is forbidden

(b) Station masters to whom arms, ammunition or military stores, unaccompanied by evidence of such special permission are tendered for despatch shall detain them and report the matter, through the Superintendent of Railway Police, for the orders of the Political Agent

III.—When any arms, ammunition or military stores are imported they shall not be delivered to any importer or consignee unless—

(a) the importer or consignee produces the original licence issued by the Secretary to the Government of India, Foreign Department, or other competent authority, authorising the export of such arms, ammunition or military stores from British India and their import to some station within the lands above referred to, and

(b) the senior police officer at the station at which the arms, ammunition or military stores have been received has compared the consignment with the licence and authorised the station master to make delivery.

For the purpose of making the comparison required by clause (b) the police officer shall have power to open any package which he thinks suspicious.

IV.—Every station master shall give information to the officer mentioned in clause (b) of the preceding rule of the arrival at his station of any consignment of imported arms, ammunition or military stores.

V.—A station master at whose station a consignment of imported arms, ammunition or military stores is received may, after obtaining the sanction of the Superintendent of Railway Police, but not otherwise, forward the consignment, should the owner or consignee desire him to do so, to any other station within or beyond the lands above referred to.

VI.—No licence shall be necessary in respect of arms or ammunition; but when any arms, ammunition or military stores are transported, immediate information regarding such transport shall be given to the senior police officer, if any, at the station of despatch and receipt by the station masters concerned.

VII.—Arms shall not in ordinary cases be taken from passengers; but if a station master has reasonable ground for apprehending a disturbance from the possession of arms by a passenger, he may at any time, before such passenger has taken his place in the train, but not afterwards, refuse to carry him unless he delivers up his arms. If the passenger gives up his arms, they shall be labelled with the name and description of the owner entered in the roadway bill, and delivered free of charge to the owner at his journey's end:

Provided that no person who has been duly exempted from the operation of section 13 to 16 of the Indian Arms Act (XI of 1878) or has a licence to carry arms granted by competent authority, shall, except in the case of evident and undoubted necessity, be asked to give up his personal arms under this rule,

VIII.—Every person employed upon the railway, shall, in the absence of reasonable excuse, the burden of proving which shall be upon him, be bound to give information to the nearest Police officer regarding any box, packet or bale in transit which he may have reason to suspect contains arms, ammunition or military stores in respect of which an offence against these rules has been, or is being committed.

IX—(i) Whoever commits any of the following offences, namely,—

(a) export any arms, ammunition or military stores without obtaining the special permission of Political Agent required by rule II,

(b) imports any arms, ammunition or military stores without a licence of the nature referred to in rule III, shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both

(ii) Whoever commits any of the following offences, namely —

(a) imports any arms, ammunition or military stores in excess of the quantities entered in the licence referred to in rule III

(b) imports after the expiration of the period for which such licence has been granted,

(c) omits to give information as required by rule VIII shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both

X—When any person is convicted of an offence under the last preceding rule it shall be in the discretion of the convicting Magistrate further to direct that the whole or any portion of the arms ammunition or military stores in respect of which the conviction is obtained, and any box package or bale in which the same may have been concealed, together with the other contents of such box, package or bale, shall be confiscated

XI—(1) Whenever any Magistrate has reason to believe that arms, ammunition or military stores have been imported contrary to these rules, such Magistrate, having first recorded the grounds of his belief may seize and detain the same in safe custody for such time as he may think necessary

(2) In such cases notice calling upon the importer or consignee to appear and to produce the licence referred to in rule III shall be published for three months at the railway station at which the arms, ammunition or military stores have been seized, and at such other places as the Magistrate may think necessary

(3) If the importer or consignee does not appear and produce such licence within three years from the date of such notice, such arms, ammunition or military stores shall be confiscated

XII—The order of the Political Agent shall be taken regarding the disposal of articles confiscated under these rules, and such orders shall be final

XIII—(1) A Magistrate may award up to one half the amount of any fine inflicted under these rules and up to one half the sale price of any confiscated articles sold in pursuance of orders issued under these rules, to any person, whether in the employ of a railway company or not who has given information leading to a conviction

(2) Cases in which no fine is inflicted, or in which it appears desirable to give a reward larger than is provided for above, shall be submitted for the orders of the Political Agent

XIV.—Nothing in the foregoing rules shall apply to the import of any arms, ammunition or military stores when the same are covered by a certificate granted by the officer in charge of an arsenal in British India, stating that they are consigned to the Ruler of a State mentioned in the second column of the schedule hereto annexed.

*The Schedule.*

Railway.	State.
1	2
Bhopal-Ujjain Railway (Great Indian Peninsula Railway—Indian Midland Section.)	Indore, Gwalior, Bhopal, Dewas (Senior Branch). Dewas (Junior Branch.)
Godra-Rutlam Nagda Railway (Bombay, Baroda and Central India Railway.)	Indore, Jhabna, Rutlam, Sailana.
Bina-Godra-Baran Branch (Great Indian Peninsula Railway.)	Gwalior.
Great Indian Peninsula (Indian Midland) Railway—	
(1) Jhansi-Agra Section ... ..	Dholpur, Datia, Gwalior.
(2) Jhansi-Bhopal-Itarsi Section ... ..	Bhopal, Gwalior, Khanisadhana, Kurwai, Orchha.
(3) Jhansi-Cawnpore Section ... ..	Samthar.
(4) Jhansi-Manikpur Section ... ..	Alipura, Garrauli, Orchha, Pahra, Taraon.
Bombay, Baroda and Central India (Rajputana-Malwa) Railway—	
(1) Cawnpore-Achnera State Railway ...	Bhartpur,
(2) Holkar State Railway (North of Nerbuda.)	Indore,
(3) Neemuch-Nusseerabad State Railway	Gwalior,
	Mewar,
	Tonk.
(4) Rajputana State Railway ... ..	Bhartpur, Jeypur, Kishengarh, Ulwar.
(5) Sindhia-Neemuch State Railway ... ..	Dhar, Gwalior, Indore, Jaora, Rutlam, Sailana.
(6) Western Rajputana State Railway ...	Baroda, Jodhpur, Palanpur, Sirohi.

\*APPENDIX D.—APPENDIX III TO THE ARMY REGULATIONS, INDIA,  
VOLUME IIRules relating to the possession of private arms by Indian Officers,  
British and Indian other ranks.

1 **General provisions.**—The Indian Arms Act provides that any person disposing of arms, which he possesses, for his own private use to any other person not entitled by law to possess the same, is liable to be punished with imprisonment for three years, with fine, or with both.

If any person wishes to dispose of arms ammunition either by private sale, public auction or otherwise, he will ascertain that the would-be purchaser is a person entitled by law to possess the same; and if such person's name does not appear in the official army or civil lists, he will apply to the Magistrate or Deputy Commissioner of the district, or to the local Political Officer, as the case may be, for permission for the transaction to take place. In the case of individual under the rank of officer the above procedure will be conducted through the Unit Commander.

2. **British soldiers.**—Firearms purchased by British soldiers will be inspected by the armourer sergeant or armament artificer, and passed by the Unit Commander. A register will be kept of all arms in which will be recorded description, sales or other disposals. Private arms supplied by Government for sporting purposes will be inspected monthly by the armourer sergeant or armament artificer.

3 **Indian officer.**—An Indian officer is allowed, after having obtained a licence, for which no fee will be charged, to carry or possess, for his personal use, arms and ammunition to the extent and under the restrictions prescribed in Schedule I, Indian Arms Rules, 1924.

NOTE.—The expression sub rule (1) of rule 40 of the Indian Arms Rules, 1909, to the Indian Army Act, 1919, licence and not to the place No 6341 VIII 182 dated 14th (1) of the Rules, page 116

4 **Exemptions for certain retired Indian officers.**—A retired Indian officer in receipt of a pension, and who was exempt under the Indian Arms Rules, 1909, immediately before coming into force of the Indian Arms Rules, 1920, is exempt from the provisions of sections 13 to 16 of the Indian Arms Act, 1878.

5 **Swords of Indian officers.**—A pass is not required for the regimental swords of an Indian officer proceeding on leave or furlough, if permission to carry it is entered on his furlough certificate.

6 **Purchase of arms by Indian officers and other ranks.**—An Indian officer or soldier shall not purchase arms or ammunition unless—

petent authority with a written permit  
r which it is valid and, in the case of  
e occasion of each individual purchase,

(ii) the arms and ammunition are purchased from a person entitled under the Indian Arms Act, 1878 (XI of 1878) and Indian Arms Rules, 1924, to possess or sell arms or ammunition ;

(iii) the arms and ammunition so purchased by him and the arms and ammunition already possessed by him do not exceed the numbers and quantity authorised by these rules.

**7. Indian soldiers.**—An Indian soldier is allowed, after having obtained a licence for which no fee will be charged, to carry or possess, for his personal use, one gun or pistol, one sword, dagger or knife, twenty cartridges, or an equivalent quantity of powder, bullets or shot, and caps. The conditions are :—

(a) The soldier shall be of good character.

(b) The arms shall not be of a class superior to that of the arms in use in the Indian Army, not a rifle of .303 bore, nor a rifle of .450 bore imported subsequent to the 11th September, 1906 : and he may not possess ammunition which can be fired from a .303 rifle.

(c) The possession of arms and ammunition to which these rules apply will be immediately reported and their description entered in the private arms register maintained in the unit, extracts of which shall be sent with the man's documents when he is transferred.

(d) All arms will be kept in the armoury while the soldier is with his unit.

(e) The loss of arms or ammunition will be immediately reported.

(f) If he wishes to take his arms on furlough or leave, he will obtain a pass from his Unit Commander. This pass will be produced on return, together with the arms to which it relates. The Unit Commander will satisfy himself that the arms have not been changed ; failure to produce the arms or pass will be punished by deprivation of a pass for one year, which should be communicated to the Magistrate or Political Officer concerned. If an absentee is found in possession of arms and ammunition not covered by a pass, he will be made over to the military authority for trial.

(*Vide also Note to Rule 3, page 291.*)

**8. Passes.**—Every pass shall be granted by the Unit Commander who shall not delegate his authority. The pass shall contain—

(a) a full description of arms, with a record of their distinctive marks, and ammunition authorised by the pass.

(b) the parentage, religion, class, tribe and home of the holder of the pass.

The Magistrate or Political Officer of the district in which the pass-holder intends to reside shall be furnished with a duplicate copy of the pass by the Unit Commander in the case of men proceeding on leave or furlough. When passes are cancelled or withdrawn the civil officer will be informed.

A pass shall not be granted to an Indian officer or soldier whose home is situated beyond the N.-W. Frontier, unless he shall have obtained, from his clansmen in the unit, and deposited security to the full trans-frontier value for the return of any arm which it is proposed to take away. The Brigade Commander will decide what is the trans-frontier value of any arm.

**9. Disposal of arms near the Frontier.**—An Indian officer or soldier shall not, unless authorised by competent authority, give or otherwise transfer any rifle to which these rules apply, to any Indian whose home is situated near or beyond the N.-W. Frontier.

**10. Forfeiture of security.**—When an arm, for which security has been deposited, and a pass granted, is not returned the security



shall be forfeited and the clansmen of the defaulter shall, for a period not exceeding two years, be precluded from taking arms on furlough. These cases will be reported to the District Commander.

**11. Special licence for exporting arms outside British India —** An Indian soldier at the time of his discharge, possessing a weapon requiring a licence, shall be warned, if his home is situated beyond the limits of British India, that he shall obtain, through his Unit Commander an export licence from the Foreign and Political Department, except in the case of a kukri of a Gurkha proceeding to Nepal.

No export licence will be granted to a trans frontier tribesman, except for arms certified by his Unit Commander to have been brought from his home on enrolment.

**12 Pensioners and reservists —** An Indian soldier before transfer to pension or reserve wishing to retain his private arms, subject to the extent specified in the first paragraph of this appendix, will fill in a form in triplicate and give full description of the arms in respect of which he desires exemption from payment of licence fees. The Unit Commander will endorse his recommendation on all three forms and will give one copy to the soldier before he leaves the unit, and one copy will be despatched to the civil officer concerned. The third copy will be kept in the unit for record.

**13. Application of pensioners and reservists for renewal of licence —** An application by a pensioner or reservist for renewal of licence, free of licence fee, will be submitted to the civil authority through the Unit Commander.

**14 Offences committed by pensioners or reservists —** Offences under the Arms Act and Rules, committed by pensioners and reservists, will be dealt with in the ordinary manner, by the civil authorities.

**15 Report of loss of arms by pensioners and reservists —** Every soldier before transfer to the pension establishment or reserve, and every reservist before returning home after training, shall be warned by his Unit Commander that he must report the loss or theft of any arms covered by his licence, to the nearest police station as required by the conditions on the licence form.

**16 Passes not to be given to discharged soldiers or reservists —** Soldiers and reservists on leaving the army cannot be granted arms passes and any such passes will be withdrawn from them.

**17 Sikh kirpan —** All kirpans possessed or carried by Sikhs while serving in the army are exempt from the operation of the Indian Arms Act, 1878 and Indian Arms Rules, 1924, provided they conform to the measurements laid down, viz., maximum length of blade of 9 inches and a maximum width of  $1\frac{1}{4}$  inches.

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APPENDIX E.—The annexed list shows what licences can be granted in the United Provinces under the Arms and Explosives Acts.

Serial number.	Object desired by person requiring a licence.	LICENCES NECESSARY TO BE TAKEN OUT TO EFFECT THE OBJECT DESIRED.		REMARKS.
		Under the Explosives Act (IV of 1884.	Under the Arms Act (XI of 1878.)	
1	2	3	4	5
1	Arms and ammunition—to go armed on a journey.	Not required, the ammunition being possessed in reasonable quantities for private use [vide rule 11 (3) of the Explosives Rules.]	Form XX.	
2	Arms and ammunition—to possess and to go armed	Not required, the ammunition not exceeding in amount the quantities named in rule 11 (3) of the Explosives Rules.	Form XVI.	
3	Arms and ammunition—to possess for the purpose of destroying wild animals.	Ditto	Forms XVIII and XIX.	
3A	Arms and ammunition—to possess and use for the purpose of target practice.	Ditto	Form XV.	
4	Arms (firearms), ammunition and military stores*—to possess in a district which has not been disarmed.	Ditto	Form XV.	If a person wishes to carry a firearm or other weapon in a district which has not been disarmed, a licence in Form XVI, XVIII or XIX is necessary. A licence under Form XV is necessary to enable a person to possess (without carrying) firearms. No licence is required to cover possession of other weapons.

\*Covers sulphur (in quantities above 10 seers), and in districts of the external land frontier, saltpetre and lead (cf. Schedule II, ante.)

4A	Arms and ammunition—to possess, when deposited by owners for safe keeping	Ditto	Ditto	Form XIII
5	Arms, ammunition and military stores*—to keep and sell	Form B in the case of gunpowder or of an explosive of the 1st division of the 6th (ammunition) class in quantities not exceeding at one time 200 lbs of gunpowder and any quantity of explosive contained in ammunition otherwise Form L in addition to Form F or J	Form X or XII	
6	Arms, ammunition and military stores*—to manufacture, convert or sell or keep	Form A† in the case of gunpowder or of an explosive of the 1st division of the 6th (ammunition) class in quantities not exceeding at one time 200 lbs of gunpowder and any quantity of explosive contained in ammunition	Form IX or XI	
7	Arms, ammunition or military stores* to transport	Not required (vide rule II(2)(a) of the Explosives Rules)	Form VIII subject to the exemption in rule 22 (2) (b) of the Indian Arms Rules, 1924	For rules regulating the transport of ammunition the packing and mode of conveyance, see the Explosives Rules
8	Arms, ammunition or military stores*—to import by river or land.	Ditto	Form III	Ditto

\* (Covers sulphur in quantities above 10 seers) and in districts on the external land frontier salt-petre and lead (cf schedule II ante)

† Safety cartridges, safety fuses for blasting railway logs, nails and percussion caps (cf page 60 Explosives Rules.)

‡ In other cases, licences for manufacture can only be granted by the Governor General in Council (vide rule 15 of the Explosives Rules.) See also the exemptions in rule 10 (a) and (b) and in rule 30

Serial number.	Object desired by person requiring a licence.	LICENCES NECESSARY TO BE TAKEN OUT TO EFFECT THE OBJECT DESIRED.			REMARKS.
		Under the Explosives Act (IV of 1884).	Under the Arms Act (XI of 1878.)		
1	2	3	4	5	
9	Arms ammunition or military stores*—to cover export by river or land.	Ditto	Ditto	Form VI.	...
9A	Arms, ammunition or military stores*—to import, transport and re-export.	Ditto	Ditto	Form VIII.	...
10	Explosives, other than those of the 1st (gunpowder) class or of the 1st division of the 6th (ammunition)† class, or of the 7th (firework) class or of the 5th (fulminate) class—to possess in quantities not exceeding 60 lbs. at a time.	Form F.	...	Form F must be endorsed* to have the effect of a licence in Form X excluding all provisions as to sale and as to arms and military stores.*	See exemptions noted in rule 11 (3) Explosives Rules: in such cases a licence would be required under the Arms Act only, in the appropriate form.

\* Covers Sulphur (in quantities above 10 seers), and in districts on the external land frontier, Saltpetre and lead (*c. f.* Schedule II, *ante*)

† Safety cartridges, safety fuzes for blasting, railway fog signals and percussion caps (See page 50 Explosives Rules).

11	Explosives generally other than those of the 5th (fulminate) class—to possess	Form J	Form J must be endorsed to have the effect of a licence in Form X or XII excluding all provisions as to arms and military stores*	Ditto Magazine licences in Form J are granted by the Commissioners of divisions. Licences for the possession of explosives of the 5th (fulminate) class can only be granted by the Governor General in Council.
12	Explosives of classes which are in quantities other than those referred to in serial Nos 13, 15 and 17—to sell	Form L, in addition to holding Form F or J as the case may be	Form L (as well as Form F or J) must be endorsed to have the effect of a licence in Form X or XII excluding all provisions as to arms and military stores*	
13	Fireworks—to manufacture, sell and possess in quantities not exceeding 200 lbs at a time	Form D	Form D must be endorsed to have the effect of a licence in form LX excluding all provisions relating to arms and military stores*	No licence is required under the Explosives Act for the mere possession of fireworks if obtained and intended for immediate use, kept for a period not exceeding 14 days in a safe and suitable place, and with all due precautions for the public safety [vide rule 11 (d), Explosive Rules]
14	Gunpowder and fuses for blasting purpose—to possess and transport	Form C or F or J according to the class or quantity of the explosive noted in rule 11 (3) of the Explosives Rules	Form C must be endorsed to have the effect of a licence in Form XII or X, excluding all provisions as to possessing arms or to going armed	See exemptions noted in rule 11 (3). Explosives Rules in such cases licence would be required under the Arms Act only in the appropriate Form
15	Gunpowder or an explosive of the 1st division of the 6th (ammunition) + class—to possess in quantities not exceeding at a time 200 lbs of gunpowder and any quantity of explosive contained in the ammunition	Form C		

\* Covers sulphur (in quantities above 10 seers) and in districts on the external land frontier saltpetre and lead (cf. Schedule II ante) + safety cartridges safety fuses for blasting, railway fog signals, and percussion caps (see page 50 Explosives Rules)

APPENDIX E.—The annexed list shows what licences can be granted in the United Provinces under the Arms and Explosives Acts.

Serial number.	Object desired by person requiring a licence.	LICENCES NECESSARY TO BE TAKEN OUT TO EFFECT THE OBJECT DESIRED.		REMARKS.
		Under the Explosives Act (IV of 1884).	Under the Arms Act (XI of 1878).	
1	2	3	4	5
16	Gunpowder or an explosive of the 1st division of the 6th. (ammunition) † class—to sell and possess in quantities not exceeding at a time 200 lbs. of gunpowder and any quantity of explosive contained in the ammunition.	Form B	Form B must be endorsed to have the effect of a licence in Form X or XII excluding all provisions as to arms and military stores.*	
17	Gunpowder or an explosive of the 1st division of the 6th (ammunition) † class—to manufacture; sell and possess in quantities not exceeding at a time 200 lbs. of gunpowder and any quantity of explosive contained in the ammunition.	Form A	Form A must be endorsed to have the effect of a licence in Form IX or XI, excluding all provisions as to arms and military stores.*	See exemptions in rule 10 (2) (a) (b) and rule 30, Explosives Rules.

\* Covers sulphur (in quantities above 10 seers), and in districts on the external land frontier, saltpetre and lead (*cf.* Schedule II. *ante.*)  
 † Safety cartridges, safety fuses for blasting, railway fog-signals, and percussion caps (see page 30 Explosives Rules.)

APPENDIX F—A list of Indian States in the Punjab, together with the names of the Political Agents to whom copies of licences issued should be forwarded under Rule 17 clause 3 of the Indian Arms Rules 1924 (page 96) is given below:

No	Indian States	Political Agents
1	Patiala	Agent to the Governor General, Punjab States Lahore
2	Bahawalpur	
3	Jhind	
4	Nabha	
5	Kapurthala	
6	Faridkot	
7	Mandi	
8	Suket	
9	Chamba	
10	Maler Kotla	
11	Loharu	
12	Sirmur (Nahan)	
13	Bilaspur (Kahlur)	
14	Kalsia	Commissioner, Ambala Division Ambala
15	Dujana	
16	Pataudi	
17	Bashahr	Superintendent Simla Hill States Simla
18	Nalagarh (Hindur)	
19	Keonthal	
20	Baghal	
21	Baghat	
22	Jubbal	
23	Kumharsain	
24	Bhaini	
25	Mailog	
26	Balsan	
27	Dhami	
28	Kuthar	
29	Kunihar	
30	Mangal	
31	Bija	
32	Darkuti	
33	Tarooh	
34	Sangri	
35	Kaneti	
36	Dalti	
37	Koti	
38	Theog	
39	Madhan	
40	Ghund	
41	Ratesh	
42	Rawin	
43	Dhadi	

APPENDIX G—Marks on small arm and machine gun ammunition and method of marking Government arms

Revised statements showing the above were circulated with G O No 1011, dated the 30th March 1909

For Appendix H *vide* Note (18) under Schedule I page 135

Append x I—The forms prescribed in this Appendix will be found on pages 261, 262 265-269 and 275-276

# 300 LOCAL RULES AND ORDERS—[UNITED PROVINCES.]

APPENDIX K.—Officers in other provinces to whom letters of enquiry should be addressed regarding sales of arms by dealers in the United Provinces to persons who are not residents of the United Provinces.

Place of which purchaser is resident.	Designation of Officer.
1. Any Indian State ...	1. Political Officer for the State.
2. Calcutta ...	2. Commissioner of Police, Calcutta.
3. Bengal Presidency (excluding Calcutta.)	3. Superintendent of Police concerned.
4. Bombay city ...	4. Commissioner of Police, Bombay.
5. Bombay Presidency (excluding Bombay city).	5. District Superintendent of Police concerned.
6. Sind ...	6. Commissioner in Sind.
7. Rangoon ...	7. Commissioner of Police, Rangoon.
8. Burma (excluding Rangoon).	8. District Superintendent of Police concerned.
9. Punjab ...	9. District Superintendent of Police concerned.
10. Central Provinces ...	10. District Magistrate concerned.
11. Assam ...	11. District Superintendent of Police concerned.
	12. *(1) In the case of residents of British districts, viz., Hazara, Peshawar, Kohat, Bannu and Dehra Ismail Khan. To the Superintendent of Police concerned.
12. North-West Frontier Province.	(2) In the case of residents of the Indian States of Amb and Phulera. To the Deputy Commissioner, Hazara, district, Abbottabad.
	(3) In the case of residents of the Indian States of Chitral and Dir. To the Political Agent Dir, Swat and Chitral Agencies, Malakand.
13. Coorg ...	13. District Magistrate of Coorg at Mercara, through the Commissioner of Coorg.
14. Bihar and Orissa ...	14. Deputy Inspector-General of Police, Crime and Railways, Bihar and Orissa.
15. Madras city ...	15. Commissioner of Police, Madras.
16. Madras Presidency (excluding Madras city).	16. District Magistrate concerned.
17. Delhi ...	17. District Magistrate of Delhi.

\*G. O. No. 1256-VIII—214, dated the 18th May, 1922.  
[G. O. No. 2716, dated the 6th July, 1916.]

APPENDIX L.—CERTIFICATE OF EXEMPTION.—This is to certify that—  
residing in the—district is a person who is exempt from the operation  
of the Indian Arms Act, 1878, under entry No.—of Schedule I to the I.A.R., 1924.  
clause (b) of section I of the said Act

Dated— }

District Magistrate of the—district  
Agent to the Govr. for the—State



## Punjab Local Rules and Orders.

1. *Punjab Notn. No 2460 dated the 3rd July 1879*—The prohibitions and directions contained in sections 13 and 14 of the Indian Arms Act, 1878, do not apply to the villages on the border of the Hazara District. [Note.—The list of villages are shown at the end, Schedule VIII, on pages 184-185.]

2 Extension of section 15 of the Act, to the Hazara Peshawar, Kohat, Bannu, Dera Ismail Khan and Ghazi Khan Districts,—(Vide Note to section 15, page 54)

3. *Punjab Circ No 12—1309, dated the 29th Sept 1899.*—(1) As the result of recent inquiries the Lieutenant Governor has decided that the executive authorities will be acting within the provisions of the law if they treat the weapons known as chhavis as arms for the purposes of the Indian Arms Act, 1878, and the rules thereunder, and he is pleased to direct that they shall henceforth be so treated except in the two Frontier Divisions of the Province, subject to the instructions which follow.

(2) The Scheduled Districts of the Punjab have been withdrawn from the operation of all prohibitions and directions contained in section 13 of the Act, which does not, therefore, apply to the tracts of Lahaul and Spiti Clause 2 of section 32 of Act No XXXI of 1860 did not at the time, when Act XI of 1878 came into force, apply to the districts of Simla and Kangra, and section 15 of Act XI of 1878 has not subsequently been extended to either district The result, then, of the ruling contained in paragraph 1 of this letter in the four Cis-Indus Divisions of the Province, is that the executive authorities are instructed to assume that the law is as follows —

(Except in Lahaul and Spiti) no person shall go armed with any chhavi except under a licence and to the extent and in the manner permitted thereby (section 13 of the Arms Act) Any person so going armed without a licence or in contravention of its provisions may be disarmed by any Magistrate, Police officer or other person empowered by the local Government in this behalf by name or virtue of his office (section 13). Except in the Simla and Kangra Districts no person shall have in his possession any chhavi, except under a licence and in the manner and to the extent permitted thereby (section 15 of the Arms Act). The rest of the Act and the rules thereunder are similarly to be assumed applicable to chhavis in the same way as to other arms To go armed with such a weapon contrary to the provisions of section 15, is to commit an offence under section 19 (e) (f) or section 20, as the case may be, and an offence which in either case is cognizable by the Police. (Schedule II to the Criminal Procedure Code, 1898).

(3) It will be the duty of Commissioners and District Magistrate to see that the Crown is adequately represented at all stages in every case in which the application of the Arms Act and rules to chhavis is likely to come in question before the Courts, and that every case in which a judicial ruling on the subject has been given, whether by a Civil or a Criminal Court, is promptly reported to Government It remains to indicate the lines on which the law, as interpreted in paragraph 1 of this circular, should be enforced.

(4). The Lieutenant-Governor thinks it undesirable that there

should be any general house searches to discover **chhavis** improperly possessed though he does not intend to prohibit search under section 25 when definite information has directed attention to particular houses or when the perpetration of crimes of violence in which weapons of the kind have been used, is traced to particular localities. The objection is to general searches without special reason. A person found carrying a **chhavi** contrary to the provisions of section 12 or section 13 may always (subject to the remarks on the subject of notice in the next following paragraph) be deprived of his weapon by a properly authorised person and similar weapons found in the course of properly authorised searches may always be taken away by the police in the exercise of their preventive authority, even if no prosecution in respect of them is instituted. The Lieutenant-Governor is, however, pleased to direct that no seizure of an unlicensed **chhavi**, whether in the exercise of the preventive authority conferred by section 149, Criminal Procedure Code, or under section 13 of the Arms Act, should be made by any police officer below the rank of sergeant.

(5). The first step to take, however, is to issue a proclamation in each district concerned warning the people that they must apply within one month for licences in respect to **chhavis**, or deposit them with the officer in charge of the nearest police station.

(6). Licences should be freely granted for purposes of protection to respectable persons, and in circumstances where it seems likely that the deprivation of **chhavis**, would tend to encourage rather than diminish crimes of violence by taking away from the well-disposed the means of defending them-selves. The question of abolishing the levy of fees for licences \* \* whether for **chhavis** or for other arms, is under the Lieutenant-Governor's consideration, but for the present it will be necessary to follow the existing rule on the subject.

(7). Prosecutions should not for the present be generally instituted, and where instituted they should be conducted with caution and carefully watched. Short of prosecution for a breach of the Arms Act, it is always open to the District Magistrate to instruct the police to take persons found carrying **chhavis** before the nearest Magistrate, in order that he may satisfy himself as to their antecedents and ascertain whether security ought to be demanded from them under section 107, 109 or 110 Criminal Procedure Code: and instructions to this effect might be given to all Police-officers not below the rank of officers in charge of stations.

(8). In the districts of Lahore, Amritsar and Ferozpur the instructions of this circular in respect to **chhavis** should be carried out in regard to long handled **gandasas** also. As regards other districts, I am to say that the long handled **gandasas** is, in some place, a weapon almost, if not quite as formidable as the **chhavi** and used, like the **chhavi**, for purposes of offence, and not, as an agricultural implement: and where this is the case, the District Magistrate would be similarly justified in treating it as a weapon coming under the provisions of the Arms Act. If, therefore, any Deputy Commissioner thinks it desirable to proceed on these lines in regard to any such weapon which is not capable of being classed as **chhavi**, he should

## Punjab.

51 Page 303 Cancel the existing Rules notified with Notification No 943 dated 10th July 1907, up to the end of form in on page 300, and substitute the following revised rules made in supersession of the rules published with notifications No 15180 dated 10th May 1922 and No 23576 dated 9th Oct 1923

[Note Pages 309 312 The existing paras 18 to 22 of the Punjab Rules are re numbered, respectively as 6 to 22]

## Rules

5—I Officers to detain under arms 6—Vide Note (7) to sec 6, 18, 19 & 20

II Officers to conduct searches under sec 25—Vide Note (2) to sec 25 18, 19 & 20

III Officers to conduct searches under sec 30—Vide Note (7) to sec 30, 18, 19 & 20

IV All persons holding licenses to manufacture, convert, sell or keep for sale arms, ammunition or military stores shall maintain stock books and accounts of receipts and issues in Forms A and B of the appendix to these rules and all persons holding licenses to sell or keep for sale arms, ammunition or military stores shall maintain stock and account books in Forms C and D. The pages of these books shall be numbered, and before any entries are made, the books shall be exhibited, together with the manufacturer's or dealer's licence to the District Magistrate or to a Subordinate Magistrate. Such Magistrate will sign the first and last pages of each book and seal them with his official stamp.

V The shops, premises and stocks of all licensed manufacturers and dealers shall be inspected once in every quarter by a police officer not below the rank of Deputy Superintendent. In a district in which there is no Assistant or Deputy Superintendent of Police quarterly inspections may be carried out by an Inspector. At least one inspection in each year shall be carried out by the Superintendent of Police. At the time of inspection the books shall be inspected by the Inspector and any irregularity or breach of the rule shall be reported to the District Magistrate.

VI (1) Whoever or a licensee takes or causes to be taken any arms or military stores he shall submit to the Superintendent of Police of the district in which his place of business, factory or shop is situated a return in the following form:

(a) The name, description and quantity of the arms and military stores taken delivery of:

(b) The name and quantity of the arms and military stores:

(c) The date of sale,

and such other particulars as may be required by the District Magistrate.

(2) Similar returns of purchases of arms and military stores shall be submitted by the Chief and Subordinate Arms Dealers immediately after the transaction and by the officer in charge of the stock of arms and military stores of the District Magistrate. The returns shall be submitted to the District Magistrate and addressed to the District Magistrate, District of \_\_\_\_\_, with - 25.



district provided that when the period spent in any district does not exceed fourteen days, no endorsement shall be necessary. No fee shall be paid in respect of any endorsement made in accordance with this order. (*Vide* note (6) to rule 33, on page 108 of Roy's Arms Act Manual)

XXIII Returns in forms K and L shall be prepared for each calendar year and submitted by District Magistrates, through Commissioners, to the Inspector General of Police

### Appendix

FORM A—Stock book of—son of—, caste—resident of—licensed to manufacture, convert, sell or keep for sale, arms, ammunition or military stores

1	2	3	4	5	6	7	8	9	10	11	12
Date	PARTICULARS	DESCRIPTION						Ammunition	Military stores including lead sulphur and saltpetre.	Name and address	Signature of licensee
		FIRE-ARMS		OTHER WEAPONS							
		Guns	Pistols	Swords	Bayonets	Daggers	Others				
Jan 1st	In Store— Manufactured Received										
Jan 2nd	Disposed of In store										

FORM B—Daily sale book of—son of—, caste—, resident of—licensed to manufacture, convert, sell or keep for sale arms, ammunition or military stores

1	2	3	4	5	6	7
Date	Name and father's name of purchaser	Caste and profession of purchaser	Residence of purchaser.	Articles purchased	Price	Signature of purchaser and dealer

FORM C—Is the same as Form A, except that in heading for the words "licensed to manufacture," etc, read "licensed to sell or keep for sale" etc, and in column 2 omit the word "manufacture"

FORM D—Is the same as Form B, except that in heading for the words "licensed to manufacture," etc, read "licensed to sell or keep for sale" etc



FORM K —Return of licences granted under Act XI of 1878 in the district  
of \_\_\_\_\_ for the year \_\_\_\_\_

1	2	3	4	5	6	7	8
Details of licenses.	Number of licenses in force last year.	OPERATION OF THE YEAR.			Number in force at end of present year.	Remarks by Deputy Commissioner	Remarks by Commissioner.
		New licenses.	Renewed licenses.	Revoked or suspended.			
1. In form VII to transport arms, ammunition or military stores							
2. In form IX to manufacture, convert, sell or keep							
3. In form X to keep and sell,							
4. In form XIV for the possession of arms.							
5. In form XV for the possession and use for target practice							
6. In form XVI to possess arms or ammunition and to go armed for purposes of sport, protection or display.							
7. In form XVIII for destruction of wild animals which do injury to human beings and cattle							
8. In form XIX for destruction of wild animals doing injury to crops and cattle.							
9. In form XX for going armed on a journey in or through any province							

FORM L —Annual statement of the operation of the Arms Act, XI of 1878, in the district of \_\_\_\_\_ for the year \_\_\_\_\_

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
NUMBER OF PERSONS PUNISHED UNDER																								
SECTION 19, FOR OFFENCE UNDER.																								
						</																		

This return will be submitted yearly through the Comr. to the I. G. of Police

Dy. Comr.





refer the matter, through the Commissioner, for the orders of Government, stating what definition he proposes and the reasons for the measure

(9) Commissioners should keep a careful watch on the manner in which Deputy Commissioners in their Divisions give effect to the instructions contained in this circular

(10) The Inspector General of Police will be requested to notice the effect of the measures now to be taken against chhavis and gandasas in the Police Administration Report for the current year

4 Circular No 5 1125 dated the 16th Oct 1903 — (1) As there has been some misapprehension as to the purport of the letters \* \* \* regarding the treatment of chhavis and gandasas as "arms" under Act XI of 1878, I am directed to address you as follows

(2) As noted in the Chief Court's decision, No 16 P R of 1900, referred to (in Note (34) page 44) any weapons or instruments carried or possessed for the purpose of offence and defence come under the category of 'arms'. The more common weapons and instruments which when carried or possessed by individuals may universally be presumed to be so carried or possessed for purposes of offence or defence are specified in section 4 of the Act but the list there given is not exhaustive and the Local Government in 1899 after considerable enquiry, concluded that (a) chhavis through the Province, and (b) long handled gandasas in the Lahore, Amritsar and Ferozpur Districts were so very rarely carried or possessed, except for purposes of offence and defence, that the executive officers of Government might properly treat these weapons as 'arms' within the meaning of the Act. District Officers were accordingly, in this office letter No 1302, dated the 29th September 1899, authorised to treat these weapons as "arms"

(3) It was not intended by the instructions above described to limit the action of District officers to the weapons there mentioned. It is still open to them to take action under the Arms Act either —

(a) generally as regards weapons in respect of which they may have received authorisation under the last sentence of paragraph (8) of the letter of 29th September 1899, page 302 or

(b) in particular instances as regards weapons or instruments of any description which in those particular cases appear to be possessed or carried for purposes of offence

I am to add that action under (b) can be taken by Deputy Commissioners without reference to higher authority

5 Circular letter No 943 dated the 10th July 1907 — The following revised rules have been made under the Indian Arms Act 1878 (Act XI of 1878), and are published for general information, in super session of the rules published with notification No 1956, dated the 19th of May 1879 —

#### Rules

- (1) ~~Officers empowered to detain arms—~~ Vide Note (7) to section 6 of the Act page 49 Vide page 48
- (2) ~~Officers empowered to conduct searches under section 25—~~ Vide Note (9) to section 25 of the Act page 78
- (3) ~~Officers appointed to conduct searches under section 30—~~ Vide Note (3) to section 30 of the Act page 82
- (4) All persons holding licences to manufacture, convert, keep and sell arms, ammunition or military stores shall keep up

stock books and accounts of receipts and issues in the Forms A and B appended to these rules; and all persons holding licences to keep or sell arms, ammunition or military stores shall maintain stock and account books in Forms C and D. The pages of these books are to be numbered, and before any entries are made, the books shall be exhibited, together with the manufacturer's or dealer's licence, to the Magistrate of the District or to a Subordinate Magistrate. Such Magistrate will sign the first and last pages of each book and seal them with his official seal.

(5) The shops, premises and stocks of all licenced manufacturers and dealers shall be inspected once in every quarter by a police officer not below the rank of Assistant Superintendent of Police, or Inspector where there is no Assistant Superintendent, and once at least in every year by the Superintendent of Police. At the time of inspection the books shall be initialled by the inspecting officer. Any irregularity or breach of the rules which may be noticed shall be at once reported to the Magistrate of the district.

FORM A.—Stock book of—son of , caste , licensed to manufacture, convert, sell or keep arms ammunition or military stores. [Rule (4), page 303.]

1	2	3	4	5	6	7	8	9	10	11	12
Date.	PARTICULARS.	DESCRIPTION.						Ammunition.	Military stores, including, lead, sulphur, and saltpetre.	Name and address of the dealer or firm supplying the articles received.	Signature of licensee.
		FIRE-ARMS.		OTHER WEAPONS.							
		Guns.	Pistols.	Swords.	Bayonets.	Dagger.	Others.				
Jan. 1st ...	In Store— Manufactured Received ...										
Jan. 2nd...	Disposed of In store ...										

FORM B.—Daily sale book of—son of , caste , resident of—licensed to manufacture, convert, sell or keep arms, ammunition or military stores. [Rule (4) page 303.]

1	2	3	4	5	6	7
Date.	Name and father's name of purchaser.	Caste and profession of purchaser.	Residence of purchaser.	Articles purchased.	Price.	Signature of purchaser and dealer.

FORM C.—Is the same as Form A, except that in the heading for words "licensed to manufacture, &c.," read "licensed to keep" and in column 2 omit the word "manufactured." [Rule (4), page 303.]

FORM D.—Is the same as Form B, except that in the heading for the words "licensed to manufacture, &c.," read "licensed to keep and sell &c." [Rule (4), page 303.]

FORM E—Register of licences to manufacture convert keep or sell arms ammunition or military stores in district [Para 14 page 307]

1	2	3	4	5	6	7				8	
Tahsil.	No	Name of licensee	Father's name and caste and residence	Place of business	Date	INSPECTION BY				REMARKS	
						ASSISTANT SUPERINTENDENTS OR INSPECTORS OF POLICE					Magistrate of district or Superintendent of Police
						1st	2nd	3rd	4th		

FORM F—Is the same as Form E except that in the heading for licensed to manufacture &c read licensed to keep and sell &c [Para 14 page 307]

(6) On receiving notice of a sale, under clause 2 section 5, by a person lawfully possessing arms to any person not prohibited from possessing the same the Magistrate or Police officer may make inquiries as to the correctness of the purchaser's name and address, and if necessary obtain a report from the Superintendent of Police of the district in which the purchaser lives

(7) When any arms ammunition or military stores have been deposited at a police station under section 14 or 16 of the Act the officer in charge of the station shall affix to each weapon or article a ticket showing the name of depositor and the date of deposit and shall give the depositor a duplicate copy of the same. After seven days if the owner has not obtained a licence authorising him to possess them, the arms ammunition or military stores shall be forwarded to the head quarters of the district and kept in the *malkhana* of the Magistrate of the district or in the Police magazine. The sheriff or other ministerial officer to whom they are entrusted shall keep a register in which the articles so deposited shall be described and entered under serial numbers and fresh tickets shall be affixed showing the owner's name and the corresponding number of the Register

(8) Arms, ammunition or military stores seized under sections 11, 25 or 26 shall be similarly dealt with

(9) (i) A separate room in every district *malkhana* shall, if possible be set apart for the deposit of arms, ammunition and military stores. Where such a separate room is used it shall be kept under double lock one key being retained by the officer of the head quarters staff responsible for the supervision of the *malkhana*, who is referred to in these rules as the *Nazarat Officer* and the other by the District *Nazir*

(ii) The *Nazarat Officer* shall be generally responsible for the supervision and disposal of arms ammunition and military stores deposited in the *malkhana*. He shall compare the arms, ammunition and military stores in stock in the *malkhana* with the register prescribed (page 306) once a month, and shall submit a report of this inspection to the District Magistrate by the 10th of each month

(iii) Subject to the control of the *Nazarat* Officer, the District *Nazir*, and not any of his assistants, shall be held **personally responsible** for the proper receipt, safe custody and disposal of all arms, ammunition and military stores.

(iv) Particulars of all arms, ammunition or military stores received in the *malkhana* shall at once be entered in a register to be kept for this purpose, in addition to the ordinary register in Form J., in Form I appended to these rules. On receipt of any arms, ammunition or military stores, columns 1 to 13 shall forthwith be filled up, and the register shall then be submitted to the *Nazarat* Officer who, after satisfying himself as to the accuracy of the entries, shall place his initials in column 14.

FORM I.—Register showing arms, ammunition and military stores  
in the *Malkhana* at \_\_\_\_\_

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
Serial No.	Date of receipt.	Class of weapon.	No. of weapon.	Class and number of ammunition or nature and quantity of military stores.	From whom received.	Under whose orders received.	Name and address of owner (where known).	FOR WHAT OBJECT RECEIVED.		DATE OF DISPOSAL.		REMARKS.										
								Destruction.	Deposit.	Date on which liable to forfeiture.	Date on which liable to destruction.	Initials of receiving officer.	Initials of <i>Nazarat</i> officer.	Despatch to Arsenal.	District Magistrate's sanction to sale, and actual sale.	Destruction.	Restoration to owner.	Signature of despatcher.	Signature of receiver or date of receipt at Arsenal.	Initials of <i>Nazarat</i> or gazetted officer in whose presence arms were returned to owner.	Sale price, with No. of chalan, and date of deposit in Treasury.	

(v) Arms, ammunition and military stores which have been deposited in the *malkhana* and have not been forfeited to Government, shall be returned to persons entitled to possess them in cases in which the deposit was made by a court, under the orders in writing by that court, and in other cases under the orders in writing of the *Nazarat* Officer. The return of all arms, ammunition and military stores under this rule shall take place in the presence of a gazetted officer, who shall be responsible for seeing that the relevant columns of the register are filled up.

(vi) }  
 (vii) } Reproduced as part of Note (3) to section 24 of the Act, on page 75.  
 (viii) }

When the procedure prescribed by this rule has been completed, the relevant columns of the register shall be filled up. It is of great importance that the number of articles awaiting disposal under this rule shall not be allowed to become excessive. Articles, the destruction of which has been ordered, should be kept as far

as possible separate from the remainder of arms, ammunition and military stores in the *malkhana*, and should be despatched to the Arsenal or destroyed locally, as the case may be, at least once a month. A simple register of such articles should be kept in Form II appended to these rules

FORM II—Register of arms, ammunition and military stores the destruction of which has been ordered

1	2	3	4	5	6
Serial No	Reference to the serial number in the register in Form I	Description of article	Date of despatch to Arsenal	Date of destruction	Initials of Nazarat officer.

(ix) The register mentioned (on page 306) shall be an annual register. At the beginning of each year a new register shall be opened to which all arms, ammunition and military stores lying in the *malkhana* shall be brought before the 10th of January. The Nazarat Officer shall personally be responsible for seeing that all arms, ammunition and military stores not shown as disposed of in the previous year's register are in the *malkhana*, and he shall at once report if there is any deficiency. The District Magistrate shall during the month of January, check the entries in the register with the arms in the *malkhana* and, in order to satisfy himself that the register has been properly prepared, he shall examine a sufficient number of entries in the previous year's register. He shall specially arrange for the disposal of arms liable to sale or to destruction if their number is excessive [PARA. (9) (i) to (ix) above has been substituted by circular letter No 4769 dated the 5th March 1925.]

10. When any arms or other articles are confiscated under section 24, the convicting Magistrate shall immediately upon conviction, pay a reward of not less than half the value of the confiscated articles to the person, or persons who may have given information which led to the detection of the offence, or who may have assisted in the arrest of the offender and seizure of the arms or other articles. Such payments will be chargeable to "Law and Justice", and, be drawn by Magistrates in their contingent bills.

11. Any Magistrate convicting an offender of any offence under the Act may, at his discretion, grant a reward not exceeding the amount of fine imposed, in such proportions as he may think fit, to any person or persons who have contributed to the arrest of the offender or the seizure of the arms or other articles.

12. . . . . n No 15486,  
13. . . . .  
dated the . . . . .

14. Every Magistrate of a district shall keep up in Form E appended to these rules a register of all licences to manufacture, convert keep, or sell, granted by him under the rule 11 [present rule 28] of the rules issued by the Government of India, and shall keep up in Form F, (page 305) a register of all licences to keep or sell,

shall within 48 hours make a report thereof to the Superintendent of Police of the District in which the licensee has his place of business, factory or shop and shall in such report state—

(a) The name, description and residence of the person who takes delivery of the articles sold; (b) the nature and quantity of the articles sold; (c) the date of sale and such report shall be signed by the licensee.

The Inspector General of Police, Punjab, has been asked to instruct Superintendents of Police in the province to inform the District Magistrate of the District in the United Provinces in which the purchaser resides, of all sales of arms and ammunition (such as rifles and their ammunition; pistols, revolvers and their ammunition; air-pistols; walking-stick rifles and sword-sticks), the verifications of which will be obligatory. The Government of the United Provinces was informed that for purposes of verification of sales in those Provinces to residents of the Punjab should be made to the Superintendent of Police of the District, or in the case of residents of Native States to the Political Agent concerned.

As regards the North-West Frontier Province the Inspector-General of Police, Punjab had been asked to arrange for the supply to the Superintendent of Police concerned (in the case of British Districts), to the Deputy Commissioner, Hazara, (in the case of Amb and Phulera) or to the Political Agent, Dir, Swat and Chitral (in the case of Chitral, Dir and Nawagai), as the case may be, of details received regarding sales made to persons residing in the Province.

20. Sulphur	}	<i>Vide</i> Notes (18), (19) and (20) to Schedule II, page 140.
21. Leaden bird shot and bullets		
22. Lead.		

23. *No. 10679, dated 30th March 1931.*—All Provincial Darbaris whose names are entered in the precedence list of such Darbaris maintained by the Government of the Punjab shall be considered to be "Great Sardars and Jagirdars" of the Punjab for the purpose of Schedule I (6) (d), of the Indian Arms Rules.

(2) The following gentlemen, most of whom have been so treated in actual practice in the past, shall also be considered for their respective lifetimes to be in the same category. *viz.* :

(1) S. Abdar Rahman Khan, Effendi, of Rawalpindi.			
(2) Captain Stanley Skinner	...	...	} Hissar.
(3) Mr. R. H. Skinner	...	...	
(4) S. Mit Singh	...	...	} Karnal.
(5) S. Bhagwan Singh	...	...	
(6) S. Jowala Singh	...	...	
(7) K. Asad Ali Khan	...	...	
(8) K. Hassan Ali Khan	...	...	
(9) K. Kazam Ali Khan	...	...	
(10) S. Khazan Singh	...	...	} Attock.
(11) S. Muhammed Nawaz Khan	...	...	
(12) S. Dost Mummud Khan	...	...	
(13) M. Muhammad Amir Khan	...	...	} Gujranwala.
(14) S. Bahadur Risaldar Ishar Singh	...	...	
(15) S. Jhanda Singh, Chimni	...	...	} Jullundur.
(16) The Guru of Kartarpur	...	...	
(17) S. Mohan Singh	...	...	} Rawalpindi.
(18) S. Gurdit Singh	...	...	

(19) S Jhanda Singh

(20) S Fateh Singh

} Lahore

24 Exemption from payment of fees of certain persons in the Simla district—  
*Vide* Note (1) to Schedule VII, page 161

25 Registration of arms by exempted persons *Vide* Note (4) to rule 3 page 88

26 Endorsement on licences in form XVI *Vide* Note (6) to rule 33, page 108

27 *Circular No 23396 dated 13th Oct, 1924*—\* \* It appears that an impression has been created that if an exemptee fails to register the fire-arms in his possession within the period prescribed by the Punjab Government notification no 6820 dated the 5th of March 1924 (*vide* Note (4) on page 88) his exemption is automatically cancelled I am to point out that failure on the part of an exemptee to comply with the orders contained in the notification referred to merely renders him liable to the cancellation of his exemption, and that no exemption should be treated as cancelled until the orders of Government have been obtained It is not intended that references should be made to Government except in cases in which the failure to register amounts to a wilful refusal to comply with the condition laid down in proviso (b) to sub-rule 1 of rule 3 of the Indian Arms Rules, 1924

28. *Circular No 25754, dated the 18th November 1924*,—\* \* \*  
 \* The Government of India stated (in para 6 of resolution No F. 829-1-22, dated the 3rd November 1924, (*vide* page 26), that they had decided that entries 11, 11 A and 11-B, in Schedule I, of the Indian Arms Rules, 1920, should be deleted, and that no exemption of the kind permitted by these entries should be continued in the new rules At the same time, every person who had enjoyed exemption under these entries in the old rules was to be entitled, under the rules of 1924, to a life licence in Form XVI free of all fee, in respect of any arms then in his possession and hitherto exempt from licence Exemptions under entries 11, 11-A, and 11-B, in Schedule I to the Indian Arms Rules, 1920, were for the first time restricted in the Punjab Government notifications Nos 581 dated the 9th of January 1922 and No 20656 dated the 15th August 1923 It has been brought to the notice of the Governor in Council that the Government of India resolution referred to and these notifications have been in some districts interpreted as contradictory I am accordingly to authorise you in granting licences in accordance with the orders in para 6 of the resolution to waive the restrictions imposed by the Punjab Government notifications of 1922 and 1923

29 *Circular No 1342 dated the 17th January 1925*—*Vide* Note (3) to Rule 42, page 118

30 *Letter No 4029 dated the 12th February 1925*.—\* \* \* I am directed to say that the orders contained in my letter No 25754 dated the 18th November 1924, were not intended to permit an extension of the period of six months prescribed by para 6 of the resolution of the Government of India No F-829 1-22 dated the 3rd November 1924, but to enable Deputy Commissioners to deal with doubtful cases still pending before them In the circumstances explained in the concluding paragraph of your letter, however, the Governor in Council agrees to give Deputy Commissioners discretion to treat, as having been submitted within time, any applications

for life licences in Form XVI which are not so submitted, but for the late submission of which a reasonable excuse exists.

31. *Letter No. 4306 dated 16th February 1925.*—The orders contained in letter No. 10238, dated the 2nd April 1924, were not intended to limit the exemption enjoyed under the Indian Arms Rules, 1924, by **Great Sardars and Jagirdars** to particular weapons, and that replacements within the limit of the exemption enjoyed in each individual case are therefore permissible. No specific orders are necessary with regard to other persons enjoying exemption under Schedule I to the Rules for whom no limit of possession has been fixed, but it may be assumed that in their case also the same principle would be followed should occasion arise.

32. *Letter No. 14904, dated the 17th June 1925*—(1) A case has recently come to the notice of Government in which a burglary at the premises of a licensed dealer in arms resulted in the **loss of six revolvers and a number of knives**. In the course of the ensuing police investigation it was observed that the premises were not adequately protected against theft.—(1) In this connection I am to invite attention to rule (5) of the rules circulated with letter No. 943, dated the 10th July 1907 (page 303) which requires the police to carry out quarterly inspections not only of the stock but also of the shops and premises of manufacturers of, and dealers in arms, and to request that in future these inspections may be made to include an examination of the arrangements for the protection of the premises against theft, defects in which should be reported to the licencing authority concerned without delay.

### **Rules relating to railway lands in certain States in Punjab.**

*Foreign and Political Department, Notification No. 343-I, dated the 2nd July 1924*:—Whereas the Governor General in Council has full and exclusive power and jurisdiction of every kind over the **lands lying within the States** specified in the second column of the Schedule hereto annexed which are, or may hereafter be occupied by the Railways specified in the first column of the said Schedule (including the lands occupied by stations, by outbuildings and for other railway purposes), and over all persons and things whatsoever within the said lands:

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Orders in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to provide as follows for the administration of justice within the said lands.

### **PART I.—Criminal Jurisdiction.**

For the purposes of Criminal Jurisdiction, except, in proceedings against European British subjects, the following arrangements shall be made, namely:—

Within the lands occupied by the Railways as aforesaid, the officers and Court mentioned in the corresponding entries in the third, fourth and fifth columns of the schedule shall exercise respectively—



- (a) the powers of District Magistrate including all powers conferable on a District Magistrate.  
 (b) the powers of a Court of Session, and  
 (c) the power of a High Court.

as described in the Code of Criminal Procedure, 1898, as for the time being in force in the said lands.

For the purpose of Civil Jurisdiction the following arrangements shall be made, namely:—

Within the lands occupied by the railways, as aforesaid, the officers and the Court mentioned in the corresponding entries in the sixth and seventh columns of the Schedule shall exercise, respectively, for all purposes connected with the administration of civil justice:—

- (a) the powers of a District Court, and

- (b) the powers of the High Court,

as described in the Punjab Courts Act, 1918, as for the time being in force.

II. The notification of the Government of India in the Foreign Department, No. 516 I. B. dated the 17th March 1913, so far as it relates to the Railway lands in the Baghat and Keonthal States is hereby cancelled.

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued.

Schedule.

1		2	3	4	5	6	7
Railway.		State.	CRIMINAL JURISDICTION.			CIVIL JURISDICTION.	
			District Magistrate with powers conferable under section 30 of the Code of Criminal Procedure 1898.	Court of Session.	High Court.	District Court.	High Court.
North-Western Railway System.	Kalka-Simla Railway.	Baghat Keonthal.	The Assistant Superintendent of the Simla-Hill States.	The Superintendent of the Simla-Hill States.	The High Court of Judicature at Lahore.	The Superintendent of the Simla-Hill States.	The High Court of Judicature at Lahore.

2. Foreign and Political Department, Notification No 344-I, dated the 2nd July 1924:—Whereas the Governor-General-in-Council has full and exclusive power and jurisdiction of every kind over the Railway Lands specified in notification No 343-I, dated the 2nd July 1924, and over all persons and things whatsoever within the said lands:—

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling

him in that behalf, the Governor-General-in-Council is pleased to apply to the said lands (hereinafter styled ("the Railway Lands")) the enactments specified in the schedule hereto annexed in so far as the same may be applicable thereto and subject to any amendments to which the enactments are for the time being subject in British India.

Provided, first, that in the enactments as so applied references to a Local Government shall be read as referring to the Governor of the Punjab in Council, references to a High Court as referring to the High Court of judicature at Lahore, and except where the context or the modifications hereinafter referred to otherwise require, references to British India or to a province or the territories subject to a Local Government as referring to the Railway Lands.

Provided, secondly, that the further modifications and restrictions set forth in the said Schedule shall be made in the said enactments as so applied.

Provided, thirdly, that for the purposes of facilitating the application of the said enactments any Court in the Railway Lands may construe the provisions thereof, and any notifications, orders, rules, forms or bye-laws thereunder, with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Court.

Provided, fourthly, that subject to the provisions of this notification the Governor of the Punjab in Council may direct by what officer any authority or power under the said enactments shall be exercisable.

II. The notification of the Government of India in the Foreign Department, No. 517-I. B., dated the 17th March 1913, in its application to the Railway Lands in the Baghat and Keonthal States, is hereby cancelled.

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued but that, save as aforesaid, all proceedings commenced, officers appointed or authorised, jurisdictions or powers conferred or confirmed, notifications published, rules made, orders passed, and things done under any of the enactments specified in the notification hereby superseded in the Railway Lands, shall, so far as may be, be deemed to have been respectively, commenced, appointed, or authorised conferred or confirmed, published, made, passed and done under the corresponding enactments specified in this notification.

#### SCHEDULE.

<i>Enactments applied</i>	<i>Further modifications and restrictions.</i>
*                      *	*                      *                      *
The Indian Arms Act, 1878, (XI of 1878).	After section 33 the following section shall be inserted.

34. Notwithstanding anything contained in this Act, the Governor-General-in-Council may, by notification in the *Gazette of India*, apply to the railway lands any rules under the Indian Arms Act, 1878, for the time being in force in British India, subject to any amendments to which such rules

are for the time being subject in British India, and with such specified in the noti-  
hall have effect in the  
t.

3. *Foreign and Political Department notification No. 345-I, dated the 2nd July 1924*—Whereas the Governor-General-in-Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States specified in the second column of the Schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said Schedule (including the lands occupied by stations, by outbuildings and for other railway purposes), and over all persons and things whatsoever within the said lands:—

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to provide as follows for the administration of justice within the said lands.

### PART I.—Criminal Jurisdiction.

For the purposes of Criminal Jurisdiction, except in proceedings against European British subjects and persons jointly charged with European British subjects, the following arrangements shall be made, namely:—

Within the lands occupied by the Railways as aforesaid, the officers and the Court mentioned in the corresponding entries in the third, fourth and fifth columns of the Schedule shall exercise, respectively—

(a) the powers of District Magistrate including all powers conferable on a District Magistrate

(b) the powers of a Court of Session, and

(c) the powers of a High Court,

as described in the Code of Criminal Procedure, 1923, as for the time being in force in the said lands.

### PART II.—Civil Jurisdiction.

For the purposes of Civil Jurisdiction the following arrangements shall be made, namely:—

Within the lands occupied by the Railways, as aforesaid, the officers and the Court mentioned in the corresponding entries in the sixth and seventh columns of the Schedule shall exercise, respectively, for all purposes connected with the administration of Civil Justice—

(a) the powers of a District Court, and

(b) the powers of the High Court,

as described in the Punjab Courts Act, 1918, as for the time being in force.

II. The notification of the Government of India in the Foreign Department, No. 516-I, B, dated the 17th March 1913, in so far as it has not already been cancelled, is cancelled hereby

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued.

him in that behalf, the Governor-General-in-Council is pleased to apply to the said lands (hereinafter styled ("the Railway Lands") the enactments specified in the schedule hereto annexed in so far as the same may be applicable thereto and subject to any amendments to which the enactments are for the time being subject in British India.

Provided, first, that in the enactments as so applied references to a Local Government shall be read as referring to the Governor of the Punjab in Council, references to a High Court as referring to the High Court of judicature at Lahore, and except where the context or the modifications hereinafter referred to otherwise require, references to British India or to a province or the territories subject to a Local Government as referring to the Railway Lands.

Provided, secondly, that the further modifications and restrictions set forth in the said Schedule shall be made in the said enactments as so applied.

Provided, thirdly, that for the purposes of facilitating the application of the said enactments any Court in the Railway Lands may construe the provisions thereof, and any notifications, orders, rules, forms or bye-laws thereunder, with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Court.

Provided, fourthly, that subject to the provisions of this notification the Governor of the Punjab in Council may direct by what officer any authority or power under the said enactments shall be exercisable.

II. The notification of the Government of India in the Foreign Department, No. 517-I. B., dated the 17th March 1913, in its application to the Railway Lands in the Baghat and Keonthal States, is hereby cancelled.

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued but that, save as aforesaid, all proceedings commenced, officers appointed or authorised, jurisdictions or powers conferred or confirmed, notifications published, rules made, orders passed, and things done under any of the enactments specified in the notification hereby superseded in the Railway Lands, shall, so far as may be, be deemed to have been respectively, commenced, appointed, or authorised conferred or confirmed, published, made, passed and done under the corresponding enactments specified in this notification.

#### SCHEDULE.

##### *Enactments applied*

##### *Further modifications and restrictions.*

\*        \*  
The Indian Arms  
Act, 1878, (XI of  
1878).

\*        \*        \*        \*        \*  
After section 33 the following section shall  
be inserted.

34. Notwithstanding anything contained in this Act, the Governor-General-in-Council may, by notification in the *Gazette of India*, apply to the railway lands any rules under the Indian Arms Act, 1878, for the time being in force in British India, subject to any amendments to which such rules

are for the time being subject in British India, and with such modifications or restrictions as may be specified in the notification, and any rules so applied shall have effect in the railway lands as if made under this Act

3. *Foreign and Political Department notification No 345-I, dated the 2nd July 1924*—Whereas the Governor-General-in-Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States specified in the second column of the Schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said Schedule (including the lands occupied by stations, by outbuildings and for other railway purposes), and over all persons and things whatsoever within the said lands:—

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to provide as follows for the administration of justice within the said lands.

### PART I.—Criminal Jurisdiction

For the purposes of Criminal Jurisdiction, except in proceedings against European British subjects and persons jointly charged with European British subjects, the following arrangements shall be made, namely:—

Within the lands occupied by the Railways as aforesaid, the officers and the Court mentioned in the corresponding entries in the third, fourth and fifth columns of the Schedule shall exercise, respectively—

(a) the powers of District Magistrate including all powers conferable on a District Magistrate.

(b) the powers of a Court of Session, and

(c) the powers of a High Court,

as described in the Code of Criminal Procedure, 1923, as for the time being in force in the said lands.

### PART II.—Civil Jurisdiction.

For the purposes of Civil Jurisdiction the following arrangements shall be made, namely:—

Within the lands occupied by the Railways, as aforesaid, the officers and the Court mentioned in the corresponding entries in the sixth and seventh columns of the Schedule shall exercise, respectively, for all purposes connected with the administration of Civil Justice—

(a) the powers of a District Court, and

(b) the powers of the High Court,

as described in the Punjab Courts Act, 1918, as for the time being in force

II. The notification of the Government of India in the Foreign Department, No. 516-I, B, dated the 17th March 1913, in so far as it has not already been cancelled, is cancelled hereby

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued.

## SCHEDULE.

1		2	3	4	5	6	7
Railway.		State.	District Magistrate with powers conferable under section 30 of the Code of Criminal Procedure, 1893.	CRIMINAL JURISDICTION.		CIVIL JURISDICTION.	
				Court of Session.	High Court.	District Court.	High Court.
Bombay, Baroda & Central India Ry. System.	1. Rajputana Malwa Railway.	Nabha, Patiala.	The Dy. Commissioner, Gurgaon.	The Agent to the Governor-General, Punjab States, and such person holding the office of 1st Assistant to the said Agent to the Governor-General as the local Government of the Punjab, with the concurrence of the High Court of Judicature at Lahore, may appoint <i>by name</i> in this behalf, and in the areas in which in pursuance of this notification the Deputy Commissioner of a District exercises the powers of a District Magistrate, the District Judge of that District.	H. C.	The same as in column 4.	
	<i>Rewari Phulora Chord.</i>						
Jodhpur-Bikaner Railway System.	2. Jodhpur-Bikaner Railway.	Patiala.	The Dy. Commissioner Ferozepur.	The Superintendent of the Simla-Hill States.	"	The Superintendent of the Simla-Hill States.	
	Bhatinda Bikaner frontier.						
North Western Railway System.	3. Kulka-Simla Railway.	Patiala.	The Assistant Suptd. of the Simla-Hill States.	The same as the first entry in this column with the omission of the words "by name"	...	The same as in the first entry in column 4, with the omission of the words 'by name.'	
	4. Ludhiana Dhuri-Jakhal Ry.						
	Ludhiana-Maler-Kotla Frontier near Lacche-Baddi.	Maler kotla.	The Deputy Commissioner Ludhiana				
	Maler-Kotla Frontier Jakhal.	Patiala. Nabha, Jind.					
	5. Rajputana Bhatinda Railway.		The Deputy Commissioner, Ambala.				
	Rajpura-Dhuri.	Patiala.	The Dy. Comr Ludhiana.				
	Dhuri-Bhatinda.	Patiala, Nabha.	...				
	6. Southern Punjab Ry						
	<i>Main-Line</i>						
	Gaddarbaha-Budhlada.	Patiala.	The Dy. Comr. Ferozepur.				
E. I. Ry. System	Budhlada-Jind frontier near Uchana.	Patiala	The Deputy Commissioner, Rohtak.	The Commissioner, Jullunder Division.	...	The Comr., Jullunder Division.	
	Jind frontier near Uchana	Jind.	...				
	Karainthi, Narwana-Kaithal Br.	Patiala.	The Dy. Comr. Karnal.				
	7. Jullunder Doab Ry.	Kapurthala.	The Dy. Commissioner, Jullunder.				
	8. Phagwara-Rahon Ry.	Kapurthala.					
	9. Jind-Panipat Ry.	Jind.	The Deputy Commissioner Karnal.	The same as the first (top) entry in this column with the omission of the words "by name."	...	The same as the first (top) entry in column 4 with the omission of the words "by name."	

4 *Foreign and Political Department notification No 346-I dated the 2nd July 1924*—Whereas the Governor General in Council has full and exclusive power and jurisdiction of every kind over the Railway Lands specified in notification No 345 I, dated the 2nd July 1924, and over all persons and things whatsoever within the said lands

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council 1902 and of all other powers enabling him in that behalf the Governor General in Council is pleased to apply to the said lands (hereinafter styled 'the Railway Lands') the enactments specified in the Schedule hereto annexed, in so far as the same may be applicable thereto and subject to any amendments to which the enactments are for the time being subject in British India

Provided, first, that in the enactments as so applied references to a local Government shall be read as referring to the Agent to the Governor-General, Punjab States, references to a High Court as referring to the High Court of Judicature at Lahore, and except where the context or the modifications hereinafter referred to otherwise require, references to British India or to a province or the territories subject to a local Government as referring to the Railway Lands

Provided, secondly, that the further modifications and restrictions set forth in the said Schedule shall be made in the said enactments as so applied

Provided, thirdly, that for the purpose of facilitating the application of the said enactments any Court in the Railway lands may construe the provisions thereof, and any notifications, orders, rules, forms or byelaws thereunder, with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Courts

Provided, fourthly, that subject to the provisions of this notification, the Agent to the Governor General may direct by what officer any authority or power under the said enactments shall be exercisable

II The notification of the Government of India in the Foreign Department No 517 I dated the 17th March 1913, so far as it has not already been cancelled, is cancelled hereby

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if the notification had not been issued but that save as aforesaid, all proceedings commenced officers appointed or authorised, jurisdiction or powers conferred or confirmed, notifications published, rules made, orders passed and things done under any of the enactments specified in the notification hereby superseded in the Railway Lands, shall so far as may be, be deemed to have been, respectively commenced, appointed or authorized, conferred or confirmed, published, made, passed and done under the corresponding enactments specified in the notification

## SCHEDULE.

*Enactments applied.**Further modifications and restrictions.*

*	*	*	*	*	*	*
The Indian Arms Act, 1878, (XI of 1878).		After section 33 the following section shall be inserted.				

34. Notwithstanding anything contained in this Act, the Governor General in Council may, by notification in the *Gazette of India*, apply to the railway lands any rules under the Indian Arms Act, 1878, for the time being in force in British India, subject to any amendments to which such rules are for the time being subject in British India and with such modifications or restrictions, as may be specified in the notification, and any rules so applied shall have effect in the railway lands as if made under this Act.

5. *Foreign and Political Dept. Notn. No. 53-I., dated the 27th Jan. 1925.* In exercise of the powers conferred by section 34 of the Indian Arms Act, 1878 (XI of 1878) as applied to the Railway lands specified in the notification in the For. and Poll. Dept. No. 345-I dated the 2nd July 1924, the Governor-General in Council is pleased to apply the Indian Arms Rules, 1924, to the said lands subject to any amendment to which the said rules may be subject in British India, and subject also to the modifications specified in the first proviso to the notification in the For. and Poll. Dept. No. 346-I, dated the 2nd July 1924, and to such further modifications, not affecting the substance, as may be necessary or proper to adapt the said rules to the said lands. The notification of the Govt. of India in the For. Dept. No. 851-D. dated the 28th March 1913, so far as it has not already been cancelled is hereby cancelled.

## LOCAL RULES AND ORDERS.—[DELHI].

I. *Notn. No. 690, dated the 1st Feb. 1915*, as amended by Notn. No. 1973 dated the 25th March 1915.—Under section 17 (c) of the Indian Arms Act, XI of 1878, the Chief Commissioner of Delhi has made the following additions to the rules published with the Punjab Govt. Notn. No. 943, dated the 10th July 1907, (Page 303 *ante*.)

To Rule IX add :—

NOTE I. Every second page of register forms B and D is perforated for extraction.

The pages of these registers are numbered series of two consecutive pages bearing the same number, the second of which is perforated for extraction.

When a sale is completed it is entered on the first page of the series, a simultaneous entry on the second page being secured by means of carbon paper. When a page has been completed the perforated duplicate should be torn out and forwarded to the Superintendent of Police.

II. On receipt of a record of sale prepared in accordance with note I the Superintendent of Police should verify by personal investigation or by inquiry from Superintendent of Police or Political Agent within whose charge the purchaser resides, whether the weapon is in the possession of the purchaser, and whether he is lawfully entitled to possess it.

III. The purchase of arms by residents of Native States should be reported to the Personal Assistant to the Chief Commissioner of Delhi by letter on the day on which the purchase is made. The letter should state the name and residence of the purchaser and the name of the Native State in which he resides.



2. *Letter No. 1072, dated the 29th Feb 1924.*—The Chief Commissioner is pleased to lay down the following standard for the reasonable amount of ammunition which may be possessed by persons licensed to possess firearms in the Delhi Province.—

- |   |                       |
|---|-----------------------|
| (1) In the case of shot guns or 22 bore or target rifles— | No limit              |
| (2) In the case of revolvers                              | 100 rounds.           |
| (3) In the case of rifles                                 | 200 rounds per rifle. |

(2) Any person who can prove that he needs more than 100 rounds for a revolver or 200 rounds for a rifle may be given a licence for a larger number at the discretion of the District Magistrate

(3) At the time, of the purchase of revolver and rifle ammunition the licence should invariably be produced.

3. Lead bullets bird shot and sulphur *Vide Note (25) to Schedule II, page 150*  
 4. Registration of arms by exempted persons —*Vide Note (8) on page 88.*

### BIHAR AND ORISSA RULES AND ORDERS

1. Rules under section 16 of the Act, *Vide page 59.*  
 2. Form prescribed under the above Rule—*Vide page 59*

3. *Letter No. 428—32-P, dated the 15th July 1920*—With reference to the correspondence resting with your letter No. \* \* \* dated the \* \* \* December 1916, I am directed to say that the Local Government have considered the following questions.—

(1) The reasonable quantities to be prescribed as the limits on the possession of arms by persons of approved character and status as defined in paragraph 4, sub-clauses (4) and (6) of the Resolution of the Home Department No 2125 C, dated the 21st March 1919, (page 1),

whether different limits should be prescribed for different classes included within that description

(2) The Lieutenant-Governor in Council has decided that one rifle and one shot gun is a reasonable quantity for all applicants. The maximum quantity of ammunition to be possessed by the licensee at one time will be 1,000 for shot gun and 100 cartridges for hall. He does not consider that different limits should be prescribed for different classes included in the category of persons of approved character and status, but the grant of licences in excess of this limit should be left to the discretion of the District Magistrate. The District Officers may be informed that they are expected to use their discretion in each case so that the number of arms or quantity of ammunition for which a licence is given to any applicant may not be clearly in excess of what is reasonable in view of his circumstances and position in life. The Local Government think that before licences for more than two rifles or four shot guns are granted by the District Officer the matter should be specially reported to the Commissioner so that he may be in a position to check any indiscreet use of his powers by a District Officer.

(3) As regards revolvers and pistols the attention of all District Officers should be specially invited to paragraph 4 (7) the Home Department Resolution mentioned above. It should be clearly understood that licences for revolvers and pistols are not to be issued to all applicants who are of approved character and status but only to those who can show circumstances of real necessity. District

Officers should not hesitate to refuse applications for such licences when they consider that the necessity for the possession of such weapons has not been established.

4 *Notn. No. 4000-P. dated the 20th July 1921.*—Under the proviso in column 3 of item 1 of Schedule II, the prohibitions and directions contained in section 5 of the Indian Arms Act, 1878, are imposed in respect of **swords, swords-sticks and daggers** in all districts in the province and it is declared that no person in any district within the province shall manufacture, convert or sell or keep, offer or expose for sale the said weapons, except under a licence and in the manner and to the extent permitted thereby. Provided that this notification shall not prevent any person from selling any sword, sword-stick or dagger which he lawfully possesses for his own private use to any person who is not by any enactment for the time being in force prohibited from possessing the same.

5 *Cir. No. 4236—40-P., dated the 27th July 1921.* (1) I am directed to refer to the correspondence resting with your letter No. \* \* \* dated the \* \* \* on the subject of the **registration of rifles, revolvers and pistols** in the possession of persons exempted under Schedule I of Indian Arms Rules, 1920.

(2) The Local Government have decided that such persons should be required to **register annually all rifles, revolvers and pistols** in respect of which they are exempted. A copy of an order giving effect to this decision is enclosed. A copy of the order should be sent by the District Magistrate to each exempted person in his district. At the same time he should explain to them the reasons why Government consider registration to be essential. These reasons are that in the event of a revival of anarchical conspiracies it would be necessary to know where arms are which would be useful to disaffected persons and would be in danger of being seized by them. Further it will be easier to trace the history of any stolen arms which may be found with revolutionaries, and in the case of a serious outbreak the authorities will be in a position to know what resources they have in the way of effective firearms in possession of persons of undoubted loyalty.

6 *Order dated the 27th July 1921*—Under proviso (b) of sub-section (1) of rule 3 of the Indian Arms Rules, **every person exempted** under the provisions of Schedule I of the said rules **shall register** in the manner described below **all rifles, revolvers and pistols** in respect of which he is exempted from the operation of any provision of the Indian Arms Act. Every such person shall, between the 1st of November and the 31st of December in each year, submit to the District Magistrate of the district in which he is ordinarily resident a return in the annexed Form containing particular of all such rifles, revolvers and pistols.

Name, address and profession of owner. Titles if any.	Description of weapon.	Bore of weapon.	Maker's name.	Number of weapon.	Year of model or make if available.
	A. Rifle-Repeater, Magazine. Single or double barrel. B. Revolver, No. of Chambers. C. Pistol, Automatic, or single shot.				

7 Included as Note to Rule 2, page 87 *ante*

8 *Cir No 2283-88 P, dated the 29th March 1924* para 7—I am also to invite your attention to the addition made to condition 11 in licence Form XVI, in accordance with proviso (c) to rule 42 (3) of the new rules, under which a licensee may in case of any change of his residence get the licence renewed by the nearest licensing authority, if renewal becomes necessary. In case of such renewals the renewing authority is required, under the rule, to report to the authority who granted the licence the fact of renewal and the period of its validity. No provision has however, been made in the rules for keeping the renewing authority informed of any subsequent changes of address, in the event of the licence holder removing to another place, after renewal. The Governor in Council desires that there should be such an additional check so that the register of arms possessed within the jurisdiction of a licensing authority may be maintained as accurately as possible. I am accordingly to request that the granting authority should also be instructed to report any information secured as to change of residence to all subsequent renewing authorities, of whose existence the former will necessarily be aware.

9 *Cir No 2518 23 P, dated the 9th April 1924*—I am directed to refer to Mr Shearer's letter No, 4236-40 F dated the 27th July 1921, regarding the registration of rifles revolvers and pistols in the possession of exempted persons, and to say that the Governor in Council has now been pleased to decide that such registration should in future be extended to all firearms in the possession of persons exempted under Schedule I to the Indian Arms Rules, 1924. His Excellency in Council consider that it would suffice if every exemptee were required to furnish the District Magistrate with information as to all the firearms in his possession.

(2) I am to say that in order to make the system effective it will be necessary for the District Magistrate to send the Form prescribed in the letter under reference by the 1st of November each year to each exempted person in their districts requiring him to return it duly filled up before the 31st December. It will probably save trouble, if the first return were submitted by exemptees in duplicate and one copy were sent out by District Magistrates to them merely for correction in subsequent years.

10 *Cir No 2512-12 P dated the 9th April 1924*—In continuation of paragraph 6 of my Circular No 2283-88 F dated the 29th March 1924, regarding the administration of the Indian Arms Act, 1878, and in supersession of the orders contained in Mr Shearer's letter No 1454-58 P R dated the 13th September 1921, so far as they relate to the limitation of the quantity of ammunition to be possessed by licensees, I am directed to say that the Governor in Council has now been pleased to decide that no limit of ammunition should be fixed in the case of shot guns or 22 bore or target rifles, but that in the case of revolvers a limit of 100 rounds and in the case of rifles a limit of 200 rounds per weapon should be ordinarily fixed. His Excellency in Council leaves it to the discretion of licensing officers to exceed these maxima in exceptional cases when the applicant can prove to the satisfaction of the licensing officer

that he actually needs a larger number. I am to request that the orders may be communicated to all licensing authorities.

11. *Letter No. 90—94-P. T., dated the 20th April 1925.*—I am directed to refer to the Hon'ble Mr. Hammond's letter No. 2518—23-P., dated the 9th April 1924, and to say that the local Government have decided that persons who hold life **certificates of exemption** should be required to furnish the District Magistrate with information regarding the firearms in their possession in the same way as other exemtees.

12. *Letter No 3022-42 P. dated the 20th April 1925.* I am directed to say that it has been brought to the notice of the local Government that licenses granted in Forms XIII, XVI, XVIII and XIX covering **rifles and pistols** frequently do not contain a **sufficient description** of the weapon for which the license is granted. In particular it is essential that when a Magistrate grants a license for a single barrel rifle or pistol, he should make it plain on the license whether the weapon is a repeating or automatic rifle or an automatic pistol. The omission of such details involves unnecessary correspondence. I am accordingly to request that you will have the description of the weapon clearly specified in the appropriate column of all licences issued by you in future.

13. *Letter No. 3231-P. R. dated the 25th September 1925*—I am directed to say that in modification of the orders contained in para. 7 of letter No. 2283—88-P., dated the 29th March 1924, the Governor in Council has decided that when the **holder of a licence in Form XVI** of the Indian Arms Rules, 1924, **changes his address permanently** he should, after the expiry of the existing licence be granted a fresh licence in the new district where he resides and should not continue to be borne in the register of licensees of the district he has left. The Magistrate of the district in which the fresh licence is granted will then be in the position of the granting authority for the purpose of checking renewals. The licensee will, however, pay the renewal fee only on his fresh licence. A counterfoil register should be maintained in the annexed Form\* by each licensing authority and when such a licence is granted intimation should be given to the office of the original issue for cancellation of the counterfoil maintained in that office. If any doubt arises as to the permanent change of residence the criterion shall be that when a licensee presents his licence for renewal for a second time in a district other than that in which it was granted he shall be held to have taken up permanent residence in that district.

Counterfoil.	*Form No. XVI.	(Rule 33),
Serial No.....	Licence for the possession of arms and ammunition and for going	
	armed for the purpose of <u>sport</u>	
	<u>protection.</u>	
	<u>display</u>	
Serial number of licence.		
Name, description and residence of Licensee and agent, (if any).		
Arms or ammunition that licensee is entitled to possess.		{ Description—
		{ Quantity—

Retainers (if any) covered by the licence	{	Name of retainer—	{	Description—
		Name of retainer's father—		
		Address of retainer—		Quantity—
		Arms or ammunition that retainer is entitled to possess		
District or place within which the licence is valid				
Date on which the licence expires				
The	19	}	(Signature)	
			Magistrate of the	District

*Form for the renewal of the licence*

Date and year of renewal	Date on which the renewed licence expires	Signature of the Magte of the District	Date and year of renewal	Date on which the renewed licence expires	Signature of the Magte of the District
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14 *Letter No 3162 67-P R dated 7th October 1926*—I am directed to refer\* \* \* \* and to communicate the following instructions with reference to conditions 2 and 7 in licence Forms IX and XII of the Indian Arms Rules 1924

(i) Each licensee shall maintain a military stores in Form A (ii) Each return of all sales to the District Magistrate shall report to the District Magistrate Form O on the day of sale, all sales of arms and ammunition of 25 of pistol and revolver

or ammunition dealer resides in the District shall also keep a register of his turn of all sales of all arms and ammunition specified in that condition in condition 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 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992, 993, 994, 995, 996, 997, 998, 999, 1000

(2) The Supt of Police will verify all sales reported under item (iii) above, and will note the verification done on each sale report before forwarding it to the District Magistrate. It is unnecessary to verify other sales, or the monthly returns (which are to be forwarded to the District Magistrate).—(3) The monthly returns should be totalled up for each licensee at the end of the year and the totals entered in a district statement. The actual monthly returns should be preserved for two years only.—(4) The forms will be standardized, after which printed copies may be obtained, on indent, from the Dy Supt Govt Printing, in charge of the Press and Forms Department at Gaya, in ordinary course. They should be supplied to all licensees free of cost

**Schedule III.—Executive Form No. 175.—A.—Sales Register.**

Date.	Name and father's name of purchaser and residence.	Number of licence.
	Single barrelled.	Breach loading-Muzzle loading.
	Double barrelled.	Rifles.
	Single barrelled.	Combined rifle and shot-gun.
	Double barrelled.	Bore.
	Single barrelled.	Revolvers.
	Double barrelled.	Pistols.
	Combined rifle and shot-gun.	Number of other arms sold.
	Bore.	Other Weapons.
	Number.	Loaded rifle cartridges other than .303 and .450.
	Bore.	Loaded cartridges for guns.
	Number.	Loaded cartridges for revolvers and pistols other than .450.
	Swords.	Empty cartridge cases.
	Daggers.	Gunpowder (cwt. or lbs.)
	Swords-sticks.	Percussion caps (Numbers.)
		Sulphur (Quantity).
		Lead bullets (Quantity).
		Lead bird shot (Quantity).
		Signature of purchaser.
		Signature of dealer, authorised agent.
		Remarks

## Schedule III, Executive Form No. 176-B.

**Return of the stock and sales of arms, ammunition and military stores**

Month \_\_\_\_\_ Year \_\_\_\_\_

[illegible]

(g) Ammunition Loaded Rifle cartridges Loaded cartridges for guns Loaded cartridges for revolvers and pistols Empty cartridge cases Gunpowder Percussion caps (h) Military stores.— Sulphur Leadon Bullets Leadon Bird shot								
Date	Signed				Licensees			

To

The District Magistrate of \_\_\_\_\_

( Through the Superintendent of Police )

SCHEDULE III EXECUTIVE FORM NO 177.—C.—ANNEXURE II.

Patna, \_\_\_\_\_ 192 .

From \_\_\_\_\_

To

The District Magistrate \_\_\_\_\_ (Through the Superintendent of Police )

Sir,

We sold on the \_\_\_\_\_ to (name and father's name) \_\_\_\_\_,  
(residence) \_\_\_\_\_ holder of licence No \_\_\_\_\_ granted by the District  
Magistrate \_\_\_\_\_ the following arms  
ammunition

(i) Arms :—

Kind of arm \_\_\_\_\_

Description (including bore)

(ii) Ammunition

Number

Cartridges (loaded) \_\_\_\_\_

„ (unloaded) \_\_\_\_\_

Bore, (Mention whether rifle, revolver,  
pistol or shot gun)

Yours faithfully,

Signature of dealer

No.

Office of the Superintendent of Police

Forwarded to the Supt of Police \_\_\_\_\_ for favour of verification and return

2 It is requested that this reference be forwarded to the authorities concerned  
if the purchaser has left the jurisdiction.

\_\_\_\_\_  
Signature  
Supt of Police.

## NORTH-WEST FRONTIER PROVINCE—LOCAL RULES AND ORDERS.

1. *N.-W. F. P.—Cir. No. 1048—52-G., dated the 19th March 1920.*—The Government of India has requested the Chief Commissioner to issue orders that licences for pistols and revolvers should be given only in cases of real necessity and to persons of approved character. You are requested to act accordingly.

2. *Letter No. 711—15-G.-N., dated the 21st July 1920.*—(1) The Chief Commissioner has issued the **following instructions** for guidance on the question of the licensing of **privately owned rifles**.

(2) Under the most recent orders of the Government of India embodied in Notification No. 1296 of 9th July 1920, it would appear that District Magistrates are now legally empowered to issue **licenses for rifles** without reference to higher authority. The Chief Commissioner however considers it important that there should be some central check on the issue of such licences and desires that, in future, lists of all persons to whom it is proposed to grant licences for rifles shall be referred to him by District Magistrates before they are actually issued.

(3) This has been the practice generally in this Province but certain special rules were made for the districts of Bannu and Dera Ismail Khan. In 1916 owing to the disturbed state of the Border, Sir George Roos-Keppel empowered the Deputy Commissioners of Bannu and Dera Ismail Khan to grant licences without previous reference to him for the possession of rifles, provided that they were purchased from across the border or from Powindahs in the districts by persons of good standing who would execute a written undertaking for their proper custody. In this office letter No. 210-B. of the 23rd December 1918, however, Sir George expressed a wish that the number of licences so granted should be considerably reduced, but the general authority for District Magistrates to issue such licences without reference to the Chief Commissioner was not definitely revoked. The present letter is to be considered now as definitely revoking the special authority given in the Bannu and Dera Ismail Khan Districts, and the issue of licences for rifles will require the Chief Commissioner's sanction throughout the whole province. At the same time all licences granted prior to the issue of this letter will be considered valid.

As regards **rifle ammunition** clause 6 of the conditions attached to licenses in Form XIII, [now Form XVI], for the possession of arms, lays down that the holder shall not purchase ammunition in excess of the maximum which may from time to time be fixed by the local Government. No maximum, however, has as yet been fixed. It should now be treated, in the case of rifles, as 50 rounds per rifle, and this figure should be endorsed by the District Magistrate on licences. This endorsement will give authority for one purchase only, and it will be for District Magistrates to add a fresh endorsement on the application of the holder if he can satisfy them that his former stock has been legitimately expended. \* \*

[On the analogy of the policy accepted by the Government of India in paragraph 10 of their Resolution No. F.-829-1-22, dated the 3rd November 1923, in regard to arms to be purchased in India, a licence for possession, in Form XVI, should also be



Border  
licensee  
than one

week of taking possession thereof (Order dated 7th January 1924)]

(4) It has been reported to the Chief Commissioner that there are a large number of unlicensed rifles in the hands of villagers in the more exposed tracts of the frontier, and the question of dealing with the situation has been specifically referred to the Deputy Commissioner, Bannu. Sir Hamilton Grant considers that it would be most inadvisable at the present time to initiate prosecutions for the illegal possession of these weapons. Any action of this sort would provoke the criticism that while we fail adequately to protect British subjects in our districts, we preclude them from possessing the means of protecting themselves especially at a time of unprecedented tribal lawlessness. He considers that the best policy will be for Deputy Commissioners to make it widely known in their districts, by whatever means they consider best that all unlicensed rifle must be reported and licensed within a definite period, which might be fixed at one month. The people should be given to understand that unless there are very special reasons to the contrary, no obstacles will be put in the way of those rifles being licensed, but that if these instructions are deliberately disregarded, the question of prosecutions will be taken up on the expiry of the period. The Chief Commissioner, however, does not wish to fetter the discretion of Deputy Commissioners in this respect, especially as the conditions of each district are widely divergent, nor has he any wish to press for immediate action in this matter, if this appears inopportune and likely to lead to trouble. It would seem probable indeed, that the problem of unlicensed rifles exists in any serious form only in the Kohat and Bannu Districts. No action therefore should be taken upon the instructions conveyed in this paragraph, unless Deputy Commissioners are of the opinion that the special circumstances of their districts demand it. In any case the Chief Commissioner is averse from wholesale prosecutions under the Arms Act, and whatever the result of the action now suggested may be he trusts that wholesale prosecutions will not be undertaken without previous reference to him.

3. *Memo. No. 3010 30-G N, dated the 28th Sept. 1920* \* \* \* The applications from British Officers for licenses for their sporting rifles and ammunition for the same need not be referred to the Chief Commissioner.

4. *India No 2202, dated the 4th Nov. 1920* \* \* \* A fee of 8 annas should be levied on licences granted for the whole of the North-West Frontier Province; and the rates of fees laid down in clause (c) [8 annas in the case of (c) iii] of the heading of Form XVI, Schedule VIII, of the Rules on licenses granted for the whole of British India \* \* \* \* \*

5. *Extract para 2 from India letter No 1936, dated the 8th June 1921.* \* \* \* 2 It has now been represented to the Government of India that in the case of rifle ammunition inconvenience may be caused by the fixation of a rigid scale. It has been suggested, for instance, that no regard is paid to the size of the cartridge and that

a little '22 rim fire rifle, which is used by ladies to shoot at targets at a rifle club, is rationed to the same extent as an elephant gun or a '8 bore rifle. Further, it has been suggested that the fixation of a rigid limit might cause inconvenience to a sportsman starting on a shooting expedition who wished to take with him a stock of both hard-nosed and soft-nosed bullets to be fired from the same weapon. The Government of India are not aware how far these criticisms are justified but they would be glad if the suggestions could be taken into consideration at an early date with a view to the removal of any anomalies that exist.

6. *N.-W. F. P. No. 2986-90. G.-N., dated the 9th Aug., 1921.* The Chief Commissioner has decided that as regards **rifle ammunition**, the previous instructions contained in paragraph (3) of Mr. Pipon's letter No. 711-15, dated the 21st July 1920, will continue to hold good but he wishes to emphasise the importance of a thorough enquiry in each case. The Chief Commissioner is not satisfied that the restrictions against accumulation of ammunition from year to year are being rigorously enforced in all Districts, and in this connection directs attention of all District Magistrates to the headings of columns 3 and 4 of license Form XVI of the Rules of 1924. District Magistrates are, however, empowered to exercise their discretion in regard to ammunition for small bore rifles, for example, '22 bore which are used for target shooting; or, in the case of a sportsman starting on a shooting expedition who wishes to take with him a stock of both hard-nosed and soft-nosed bullets, when a maximum of 50 rounds might obviously be inadequate. (2) As regards revolver ammunition, the Chief Commissioner wishes a maximum of 50 rounds per annum covered, of course, by maximum possession of 50 rounds to be fixed. (3) Cartridges for shot-guns may be allowed in such number as the District Magistrate may consider desirable in each case.

7. *N.-W. F. P. Cir. No. 84-110 G., dated the 4th January 1922,* to all Local Govts. and Admtns, Residents, Agents to G. G. and to Dy. Comrs. in the N.-W. F. P.—I am directed to say that under sub-rule (3) of Rule 33 of the Indian Arms Rules, 1924, the Administration of the North-West Frontier Province has imposed the following **restrictions on the validity** in the North-West Frontier Province, of **licences** which have been made valid for that Province by licensing authorities in other provinces, namely:—Licences issued in other provinces in India or Burma, which have been made valid for the North-West Frontier Province by licensing authorities there shall be in force in the North-West Province only when such licences have been countersigned by the District Magistrates of the Districts into which the arms are imported, and shall be valid, in each case, only for such area in the North-West Frontier Province as may be prescribed by the countersigning authority.

8. *Letter No. 297-53-08-G., dated the 30th March 1922,* to all Local Governments and Administrations (except Punjab).—I am directed to request that if there be no objection, you will kindly arrange to supply, with as little delay as possible, to the following officials of this Province details regarding all future **sales of arms**

or ammunition made to persons residents of the North-West Frontier Province —

In the case of residents of British Districts viz Hazara, Peshawar, Kohat, Bannu and Dera Ismail Khan	} To the Superintendent of Police concerned
In the case of residents of the Indian States of Amh and Phulera	} To the Deputy Commissioner Hazara District, Abbottabad
In the case of residents of the Indian States of Chitral and Dir	} To the Political Agent, Dir, Swat and Chitral Agencies Malakand

I am further to request that in the event of there being no objection to the above request copies of any instructions issued in this connection may kindly be sent to this office for information and record

NOTE — A list of all the Local Governments who have agreed to report the sales is printed below —

Chief Commissioner, Ajmer Merwara.	Agent to the Governor General in Central India
Government of Assam	
	Government of the Central Provinces
	Chief Commissioner, Delhi
	Government of Madras
	Agent to the Governor General in Rajputana
	Government of the United Provinces

NOTE — The Punjab Government also follows the desired procedure *vide* their Notification No 1449, dated the 1st November 1915 republished on page 309

9 *Cir Memo. No 11688 92 G, dated the 11th Dec 1933* — \* \* \*  
I am directed to convey the following instructions and remarks with regard to the Indian Arms Rules, 1924 —

(1) It will be seen that the new Arms Rules come into force on the 1st January 1924

The number of many of the forms have been changed and also, to some extent, the forms themselves, and the conditions printed on the forms. This applies particularly to the Form most commonly used in the North-West Frontier Province, viz old Form XIII, [now Form XVI,] "License for the possession of arms and ammunition and for going armed for the purposes of protection display". It is feared

that it will not be possible for a stock of the revised forms to be issued by the 1st January as desired by the Government of India. But under Rule 49, licences under the Rules of 1920, can be renewed so far as they are not inconsistent with the new rules. Existing licences should be renewed, pending receipt of the revised forms

(2) It will be noticed that the acquisition and carrying of pistols or revolvers of 450 bore has been much tightened up (Rules 7, 33 and 34) and that ammunition for the same will not be obtainable except from selected dealers (Rule 38). Ordinarily the import of 450 bore revolvers will be absolutely prohibited (*vide* the Committee's recommendation in paragraph 26 of their Report

accepted by the Government of India in paragraph 17 of the Resolution (pages 11 and 29.) In this connection District Magistrates are reminded that under orders (India No. 386. dated the 1st March 1920), which are still in force, licences for pistols and revolvers of all kinds should be issued only in cases of real necessity.

(3)  $\frac{\text{Rule 3}}{\text{Schedule I}}$ —Para. 5 of the Government of India Resolution of 3rd Novr. 1923 —

(i) Under proviso (b) to Rule 3, **exempted persons must register**, in such manner as the Local Government may prescribe, their *fire-arms and ammunition*. (ii) No fee will be charged for such registration (para 5 of the Resn. of 3rd Novr., 1923). (iii) An exempted person must at once report the loss or theft of *any* arm in respect of which he is exempted, *i. e.*, although an exempted person is not required to register the possession of a dagger, he is bound to report the loss or theft of a dagger. (iv) The Chief Commissioner directs that every exempted person shall furnish the District Magistrate by the 31st of March 1924, with particulars as to the firearms and ammunition in his possession, failure to do so rendering him liable to the cancellation of his exemption. (v) The Chief Commissioner directs further that future purchases of firearms and ammunition shall be reported to the District Magistrate within one week of the purchase. (vi) The purchase of firearms will be subject to the maximum prescribed by the Local Government.

(4) Schedule I.—Para. 6 of the Resn.—Under the Rules of 1920, **persons included in entries 11, 11-A, 11-B and 12 of Schedule I** are ordinarily exempt from taking out a licence. The four entries just specified have been excluded from the Rules of 1924. Entries 11-B and 12 do not concern the North-West Frontier Province.

As regards entries 11 and 11-A which include **holders of titles**, etc., conferred before the 1st January 1920, particular attention is invited to the orders requiring application for a life licence to be made before the 1st July 1924. All persons in your district known by you to be included in entry No. 11 should be informed of the orders and should make their applications without delay. As soon as forms are available, the requisite life-licences should be issued.

Persons or classes of persons	Arms and ammunition	Provisos and restrictions	Prohibitions and directions,
<p>(II) All individual members of the under mentioned classes who were as such exempted under the Indian Arms Rules 1909, immediately before the coming into force of these rules —</p> <p>(a) members of any Order of Knighthood,</p> <p>(b) persons holding the Kaiser Hind medal,</p> <p>(c)</p> <p>(d) persons holding swords or other arms received as gifts from the Governor General in Council or a local Government,</p> <p>(e) persons holding certificates received on the occasion of the assumption of the title of Empress of India by Her late Majesty, Queen Victoria</p> <p>(f) retired officers (other than subordinate, warrant petty and non commissioned officers) of the Royal Navy, and retired British and Indian Officers within the meaning of section 7 (1) and (2) of the Indian Army Act, 1911, in receipt as such, of a pension, and</p> <p>(g) land holders and members of a Municipal Board or a Committee designated for exemption in any list issued in this behalf by a local Government</p>	<p>All except—</p> <p>(a) cannon,</p> <p>(b) articles designed for torpedo service</p> <p>(c) war-rockets,</p> <p>(d) rifles of 303 or 450 bore (and ammunition which can be fired from the same) not lawfully imported in to British India</p> <p>(e) machinery for the manufacture of arms or ammunition, and</p> <p>(f) appliances the object of which is the silencing of firearms</p>	<p>The arms or ammunition carried or possessed by any person here in exempted shall be of such descriptions only and shall not exceed such quantities if any, as—</p> <p>(a) the Governor General in Council or</p> <p>(b) a Local Govt in respect of the territories administered by it or subject to its control, may declare to be reasonable for such person to carry or possess</p>	<p>Those contained in sections 13 to 16</p>
<p>(IIA) All persons who before the 1st day of Jan'y 1920 had been admitted as members of the Distinguished Service Order, the Imperial Service Order the Indian Order of Merit, or the Order of British India or had been awarded the Victoria Cross, the Military Cross the Distinguished Flying Cross the Distinguished Conduct Medal, the Distinguished Flying Medal the Long Service and Good Conduct Medal the Volunteer Decoration the King's Police Medal the Volunteer Long Service Medal or the Indian Distinguished Service Medal</p>	<p>Ditto</p>	<p>Ditto</p>	<p>Ditto</p>

(5). Para 7 of the Resn.—The following are *prima facie* **qualifications for the grant of a licence** without preliminary enquiry:—

(a) payment of Rs. 500 land revenue; (b) any payment of income-tax; (c) in the case of Government servants, pay of Rs. 100 per mensem or more; but the District Magistrate has full power to order enquiries if he thinks fit. The determination of the agency for such enquiries is left to the Local Government. The Chief Commissioner sees no reason to depart from the present practice whereunder such enquiries as may be required, are ordinarily made by the Police.

(6). Rule 33 (3).—All District Magistrates are reminded of the orders conveyed in Chief Commissioner's Office letter No. 84-110-G., dated 4th January, 1922, reproduced below for facility of reference:—

"Licences issued in other provinces in India or in Burma, which have been made valid for the North-West Frontier Province by licensing authorities there shall be in force in the North-West Frontier Province only when such licences have been countersigned by the District Magistrates of the districts into which the arms are imported, and shall be valid, in each case, only for such area in the North-West Frontier Province as may be prescribed by the countersigning authority.

(7). Rule 40 (i)—Attention is invited to the proviso to Rule 40 (i) which requires that in the case of **persons subject to the Indian Army Act, 1911**, application for any kind of licence shall be made, not to the District Magistrate of the District in which the applicant happens to be serving, but to the licensing authority of the applicant's permanent place of residence.

(8). Rule 43 (i)—The proviso to Rule 43 (i) is new and provides that in any case in which the grant or **renewal of a licence is refused**, the applicant may appeal to the immediate official superior of the authority refusing the grant or renewal. Separate instructions will follow with regard to appeals under the proviso just referred to. (*Vide* para 10 on next page).

(9). Second portion of para 9 of the Resn. (*i. e.* where paragraph 13 of the Committee's Report is referred to).—The intention of the orders of the Government of India is not altogether free from doubt. The Chief Commissioner desires the continuance of the present practice whereunder the first year of the **currency of any licence** is taken to expire with the end of the calendar year in which the licence is granted. Thus, if on the 6th June 1924, the District Magistrate accepts an application for a license for going armed, and the applicant is not prepared to wait until the 1st January 1925, and desires the immediate issue of his licence, then the first year's currency of the licence will expire on the 31st December 1924.

(10). Para 20 of the Committee's Report read with paras 13 and 14 of the Resn.—(1) Although ordinarily only the District Magistrate can sanction a licence in the first instance, any **Sub-divisional Magistrate can renew a licence** and the arms need not be produced at the time of renewal. Particular attention is invited to the fact that a licence can be granted or renewed for a period of three years and in order to save clerical labour and also unnecessary trouble to the licensee, the Chief Commissioner directs the initial grant or the renewal should ordinarily be for three years. In the North-

West Frontier Province the fee will in that case be three times the annual fee (*vide* Para III of Licence Form XVI, page 177)

The above rules should not be allowed to interfere with the periodical check of the arms themselves which is required to be carried out by the Police. The District Magistrate has full powers to require the production of arms at any time or place. (2) Where a licence has been issued in another district, the licensing authority should be informed of the fact of renewal. (3) Licences can be applied for by post and can also be sent for renewal by post. (4) It will be seen from rule 33 (a) (b) that a licence in Form XVI (*cf* para (1) above) can be granted only by the District Magistrate or by Sub Divisional Magistrate specially empowered by the Local Government.

(11) Para 14 of the Resn.—The fees payable for each licence are stated on the Forms concerned. Payments can be made in non-judicial stamps or in cash, as the applicant prefers.

(12) Para 16 of the Resn  
Para 23 of the Report—The Government of India orders are that applications for licences and renewals shall be dealt with promptly. Accordingly in supersession of the instructions conveyed in this office memorandum No 10006 10-G dated the 10th November, 1923, recommendations requiring the Chief Commissioner's sanction should be submitted quarterly (*viz*, as soon as possible after the 1st Feb, 1st May, 1st Aug and 1st Nov) instead of every six months.

(13) Para 18 of the Resn.—Where it is desired to include in the licence a female member of the licensee's family, the lady should be entered as a "retainer."

10. *Memo No 1230 34 G, dated the 24th Dec 1923*—With reference to para 8 of this office circular memo No 11688 92 G dated the 11th Dec 1923, I am to convey the following instructions with regard to appeals preferred under the proviso to Rule 43 (1) of the Arms Rules 1924. Pending the receipt of any general orders which may hereafter be received from the Government of India, the Chief Commissioner directs as follows—

(1) For the purposes of the Arms Rules, the immediate official superior of a Sub Divisional Magistrate is the District Magistrate, and the immediate official superior of the District Magistrate is the Chief Commissioner. (2) The period allowed for preferring an appeal to the District Magistrate or to the Chief Commissioner shall in each case be 30 days from the receipt of the intimation of the refusal to grant or renew the licence in question. [This period is prescribed on the analogy of appeals under the Income tax Act (XI of 1922), *vide* sections 30 (2) and 32 (1) of that Act].

11. *Memo No 605 09 G, dated the 15th Jan'y 1921*—With reference to para 7 of the Government of India Resn No F-819-122, dated the 23rd Nov 1922, the Chief Commissioner directs that where there is any doubt with regard to the means and status of an applicant for a licence for a rifle, and where it is none the less desired for other reasons, such as with a view to village defence to grant the licence applied for, the District Magistrate may, before granting a licence, require the applicant to furnish security to the

extent of Rs. 300 that the rifle will not be sold without permission either within or across the border, and will not be used for any unlawful purpose. Subject to the above instructions, circular No. 6 dated the 3rd March, 1910, should be regarded as cancelled.

12. *Memo. No. 610-14-G., dated the 15th Jan. 1924.*—With reference to Rule 33 (2) (a) of the Indian Arms Rules, and in supersession of Notification No. 1181-G., dated the 24th March 1920, the Chief Commissioner directs that ordinarily a licence shall be issued only for the District in which the licensee resides. But the District Magistrate personally can, for sufficient reasons, make any such **licence valid throughout the North-West Frontier Province or throughout British India.** In the latter case care must be taken to see that the requisite enhanced licence fee has been paid.

13. *Notn. No. 615-G., dated 15th Jan. 1924.*—In exercise of the powers conferred by condition 3 of Form XIV and condition 9 of Form XVI of Schedule VIII of the Indian Arms Rules, 1924, the Chief Commissioner is pleased to authorise District Magistrates in the North-West Frontier Province to **cancel, where necessary, condition 2 (ii) of License Form XVI and condition 8 of License Form XVI** which prohibit the possession of Government arms and ammunition. Notn. No. 1930-G., dated the 29th April 1920, is hereby cancelled.

14. *Notn. No. 622-G., dated the 15th Jan. 1924.*—In exercise of the powers conferred by Rule 37 (1) (b) of the Indian Arms Rules, 1924, the **Sub-Divisional Magistrates of Mardan, Nowshera and Charsadda Sub-Divisions** are empowered to grant licences for going armed on a journey in or through any Province in Form XX. Notification No. 2179-G., dated the 15th May 1920, is hereby cancelled.

15. *Notn. No. 624-G., dated the 15th Jan. 1924.*—Notification No. 468-G. N., dated the 8th July 1920, empowering the Sub-Divisional Magistrates of the Mardan, Nowshera and Charsadda Sub-Divisions to grant licences, in certain forms for the possession of arms and ammunition under the Indian Arms Rules of 1920, is hereby cancelled.

16. *Notn. No. 626-G., dated the 15th Jan. 1924.*—Notn. No. 834-G. N., dated the 2nd August 1920, and Notn. No. 347-G., dated the 10th January 1921, being inconsistent with the instructions conveyed in paragraph 7 of Resolution No. F-829-1 22, dated the 3rd November 1923, of the Government of India, are hereby cancelled. The Chief Commissioner hereby accepts the recommendations made by the Government of India in paragraph 7 of the Resolution, (page 26).

17. *Notn. No. 627-G., dated the 15th Jan. 1924.*—See Note (24) to Schedule II on page 150.

18. *Notn. No. 628-G., dated the 15th Jan. 1924.*—Notn. No. 5324-G., dated the 30th March 1922, regarding the **scale of exempted arms and ammunition** in case of persons exempted under entries 11 and 11A of Schedule I of the Indian Arms Rule, 1920, is hereby cancelled as entries 11 and 11A have been excluded from the Rules of 1924.



19 *Notn. No. 629-G., dated the 15th Jan. 1924.*—Notn No. 7103-G, dated the 2nd May 1922 is republished below for general information.—All registers and instructions prescribed therein under the Indian Arms Rules of 1920, shall now be deemed to be prescribed under the corresponding provisions of the Rules of 1924

No 7103-G, dated the 2nd May 1922.—The following rules have been made by the Chief Commissioner under the Indian Arms Act 1878 (XI of 1878) and under Government of India Resolution No. 1, dated the 1st January 1920.

#### RULES UNDER THE INDIAN ARMS ACT, 1878, (XI OF 1878)

(1) *Vide* Note (7) to section 6 of the Act, page 49

(2) " " (6) " " 25 " 78

(3) " " (3) " " 30 " 82

#### *Stock books and account books to be kept by licensed manufacturers and dealers*

(4) All persons holding licences to manufacture, convert, keep and sell arms ammunition or military stores shall keep up stock books and accounts of receipts and issues in Forms A and B appended to these rules, and all persons holding licences to keep or sell arms, ammunition or military stores shall maintain stock and account books in Form C and D. The pages of these books are to be numbered and before any entries are made the books shall be exhibited together with the manufacturer's or dealer's licence to the Magistrate of the District or to a Subordinate Magistrate. Such Magistrate will sign the first and last pages of each book and seal them with his official seal. Notn No 2509-G. N, dated the 27th August 1920, is hereby cancelled, but weekly intimation must be sent by all dealers to the Superintendent of Police regarding all sales of arms, ammunition or military stores

(5) The shops premises and stock of all licensed manufacturers and dealers shall be inspected once in every quarter by a Police Officer not below the rank of Inspector and once at least every year by a gazetted police officer. At the time of inspection the books shall be initiated by the inspecting officer. Any irregularity or breach of the rules which may be noticed shall be at once reported to the Magistrate of the district.

(6) On receiving notice of a sale under clause 2, section 5, by a person lawfully possessing arms to any person not prohibited from possessing arms, the Magistrate or Police Officer may make enquiries as to the correctness of the purchaser's name and address, and if necessary, obtain a report from the Superintendent of Police of the district in which the purchaser lives

#### *Arms deposited in a Police Station.*

(7) When any arms, ammunition or military stores have been deposited at a police-station under section 14 or 16 of the Act, the officer in charge of the station shall affix to each weapon or article a ticket in Form R, showing the name of the depositor and the date of the deposit, and shall give the depositor a duplicate or copy of the same. After seven days, if the owner has not obtained a

licence authorising him to possess them the arms, ammunition or military stores shall be forwarded to the head-quarters of the district and kept in the *mallkhana* of the Magistrate of the district or in the Police magazine. The ministerial officer to whom they are entrusted shall keep a register in Form S in which the articles so deposited shall be described and entered under serial Nos. and fresh tickets shall be affixed showing the owner's name and the corresponding Nos. of the register.

*Arms and military stores seized.*

(8). Arms, ammunition or military stores seized under sections 11, 25 or 26 shall be similarly dealt with.

(9). Disposal of confiscated arms—*Vide* Note 24 of the Act, on page 76.

(10) and (11). Rewards—*Vide* note to Sec. 28 of the Act, on page 81.

*Register of Licences.*

(12). Every magistrate of a district shall keep up, in Forms E and G appended, registers of all licences to manufacture, convert, sell or keep for sale granted by him under rule 28 of the rules issued by the Government of India, and shall keep up, in Forms F and H, register of all licences to sell and keep for sale granted by him under the same rule. All Superintendents of Police shall keep up similar registers in English. Magistrates of districts will supply to their Superintendents of Police copies of all such licences issued by them. The Superintendent of Police will furnish to each officer in charge of a police station copies of extracts, columns (1) to (6), giving the names, etc., of persons licenced within his jurisdiction.

(13). All inspections of shops, premises and stocks of licensed manufacturers and vendors by Inspectors of Police or superior officers shall be reported to the Magistrate of the district, and shall be entered in the registers.

(14). Registers of licences granted by the Magistrate of the district under rules 29 to 32 [present rules, 33, 35, 36 and 37] of the rules made by the Government of India shall be kept up in Forms J, K, L, M, N and O, respectively. Similar registers will be kept up in English by the Superintendent of Police, to whom the Magistrate of the district will furnish copies of all such licences granted by him. The Superintendent of Police will supply each officer in charge of a station with an extract giving the parts of each register which concern his jurisdiction.

(15). In place of the returns prescribed in the Punjab Government circular No. 7-669 dated the 26th April 1867 and No. 12-944 dated the 21st June 1867, the Chief Commissioner is pleased to direct that the Forms P and Q appended to these Rules be used. Both returns will be prepared for the calendar year and be submitted through the Deputy Commissioners to the Inspector General of Police.

*Register to be maintained by persons licensed to keep in safe custody firearms deposited by their owners for that purpose,*

(16). All persons licensed to keep in safe custody firearms deposited by their owners for that purpose shall keep up register in Form I appended to these Rules.

(17). Lead, leaden bullets and bird shot.—*Vide* Note (24) to Schedule II, page 150.

FORM A—Stock book of—, son of—, caste —, resident of— licensed to manufacture, convert, sell or keep for sale arms, ammunition or military stores. [Rule 19 (4), page 335.]

1	2	3	4	5	6	7	8	9	10	11	12
Date	Particulars	DESCRIPTION						Ammunition	Military stores, including lead, sulphur & saltpetre	Name and address of the dealer or firm supplying the articles received	Signature of licensee
		FIRE-ARMS		OTHER WEAPONS							
		Guns	Pistols	Swords	Bayonets	Daggers	Others				
Jany 1st	In store— Manufactured— Received—										
Jany. 2nd	Disposed of— In store										

FORM B—Daily sale book of— son of—, caste —, resident of—, licensed to manufacture convert, sell or keep for sale arms, ammunition or military stores [Rule 19 (4) page 335 ]

1	2	3	4	5	6	7
Date	Name and father's name of purchaser	Caste and profession of purchaser	Residence of purchaser	Articles purchased	Price Rs As P	Signature of purchaser

FORM C—Stock book of—, son of—, caste —, resident of—, licensed to sell and keep for sale arms, ammunition or military stores, [Rule 19 (4), page 335 ]

With the following exception, the prescribed register is identical with that prescribed under Form A —

In the case of column 2 of Form C, omit the word 'manufactured' which appears in column 2 of Form A —

FORM D—Daily sale book of—, son of—, caste —, resident of—, licensed to sell and keep for sale arms, ammunition and military stores. [ Rule 19 (4), page 335. ]

Except for the heading the prescribed register is identical with that prescribed under Form B

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Form IX of 1924.

FORM E.—Register of licences to manufacture, convert, sell or keep for sale arms, ammunition or military stores other than breech-loading rifles, rifle ammunition or military stores for rifles in—district. [Rule 19 (12), page 336.]

1	2	3	4	5	6	7				8	
Tahsil.	No.	Name of licensee.	Father's name and caste and residence.	Place of business.	Date.	INSPECTION BY.				REMARKS.	
						Police officer not below the rank of Inspector.					Gazetted Police Officer.
						1st.	2nd.	3rd.	4th.		

Form X of 1924.

FORM F.—Register of licences to sell and keep for sale arms, ammunition or military stores other than breech-loading rifles, rifle ammunition or military stores for rifles in—district. [Rule 19 (12), page 336.]

With the following exceptions, the prescribed register is identical with that prescribed under Form E.

In column 7 ("inspection by") substitute the following :—

- (1) In the first sub-column for the heading "Police officer not below the rank of Inspector" substitute "Assistant Superintendents or Inspectors of Police."
- (2) In the second sub-column for "Gazetted Police Officers" substitute "Magistrate of district or Superintendent of Police."

Form XI of 1924.

FORM G.—Register of licences to manufacture, convert, sell or keep for sale breech-loading rifles, rifle ammunition or military stores for rifles. [Rule 19 (12), page 336.]

Except for the heading, the prescribed register is identical with that prescribed under Form E.

Form XII of 1924.

FORM G.—Register of licences to sell and keep for sale breech-loading rifles, rifle ammunition or military stores for rifles. [Rule 19 (12), page 336.]

With the following exceptions, the prescribed register is identical with that prescribed under Form E :—

In column 7 ("inspection by") substitute the following :—

- (1) In the first sub-column for the heading "Police Officer not below the rank of Inspector" substitute "Assistant Superintendents or Inspectors of Police."
- (2) In the second sub-column for "Gazetted Police Officer" substitute "Magistrate or District Superintendent of Police."

Form XIII of 1924

FORM I—Register showing details of fire arms deposited by owners for safe keeping with—licensed in form XI A of the Indian Arms Rules, 1920. [Rule 19 (16), pages 336 ]

1	2	3	4	5	6	7	8
Serial No (of entry)	Date (of entry)	Name with particulars of owner of arms	Detail with description of fire arms deposited	No with date of the licence of the owner	Attestation of deposit of arms in col 4 by the owner in col 3 verified by two witnesses in each case	Check notes and endorsements by inspecting officers under condition 4 of the licence	REMARKS.

Form XIV of 1924

FORM J—Register of licences for the possession only of arms (other than pistols and revolvers), ammunition or military stores. [Rule 19 (14) page 336]

Name, description and residence of licensee and agent (if any)	Number and description of arms	AMMUNITION OR MILITARY STORES		Place (with description where articles are to be kept)	Period for which the licence valid
		Description	Quantity		

Form XV of 1924

FORM K—Register of licences for the possession and use for the purpose of target practice of firearms and ammunition [Rule 19 (14), page 336.]

Serial No of licence	Name, description and location of mess, club or association	ARMS OR AMMUNITION THAT LICENSEE IS ENTITLED TO POSSESS		Place within which the licence is valid	Date on which the licence expires
		Description	Quantity		

Form XVI of 1924.

FORM L—Register of licences to possess arms or ammunition and to go armed for the purposes of sport, protection or display in the—District. [Rule 19 (14) page 336]

1	2	3	4	5	6	7	8
Tahsil	No	Date.	Name of licence holder	Father's name and caste, etc	Residence	No and description of weapons	REMARKS

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Form XVIII of 1924.

FORM M.—Register of licences to possess and go armed with arms and ammunition for the purpose of destroying wild animals which do injury to human beings or cattle in the—District. [Rule 19 (14), page 336.]

1	2	3	4	5	6	7	8	9	10					11
Tahsil.	No.	Date.	Name of licence-holder.	Father's name and caste.	Residence.	Place for which licence is valid.	Weapon.	Date of expiry of licence.	INSPECTION BY MAGISTRATE OF WEAPON AND LICENCE.					REMARKS.
									1st year.	2nd year.	3rd year.	4th year.	5th year.	

Form XIX of 1924.

FORM N.—Register of licences for the possession of arms and ammunition and for going armed for the destruction of wild animals doing injury to crops or cattle.

The prescribed register is identical with that prescribed under Form M. [Rule 19 (14), page 336.]

Form XX of 1924.

FORM O.—Register of licences for going armed on a journey in or through any province. [Rule 19 (14), page 336.]

Serial No. of licence.		3		4				5	6	7	
Name, description and residence of licensee and agent (if any).		ARMS OR AMMUNITION THAT LICENSEE IS ENTITLED TO CARRY.		RETAINERS (IF ANY) COVERED BY THE LICENCE.				Place of departure, route and place of destination.	Period for which the journey is likely to occupy.	Period for which the licence is valid.	
		Description.	Quantity.	Name of retainer.	Name of retainer's father.	Address of retainer.	Arms or Ammunition that retainer is entitled to carry.				
1	2	3	4	5	6	7	8	9	10	11	12

# LOCAL RULES AND ORDERS [NORTH-WEST FRONTIER PROVINCE.] 341

FORM P.—Return of licences granted under Act XI of 1878, in the district of \_\_\_\_\_  
for the year 192 . [Rule 19 (15), page 336.]

1	2	3	4	5	6	7	8
Detail of licences	No of licences in force last year.	OPERATION OF THE YEAR.			Number in force at end of present year.	Remarks by Deputy Commissioner	Remarks by Inspector General of Police
		New licences.	Renewed licences	Revoked or suspended.			
1. In Form VII* for the transport of arms, ammunition or military stores.							
2. In Form IX to manufacture, convert, sell or keep for sale, arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles)							
3. In Form X to sell and keep for sale arms, ammunition or military stores (other than breech-loading rifles, rifle ammunition or military stores for rifles.)							
4. In Form XI to manufacture, convert, sell or keep for sale breech-loading rifles, rifle ammunition or military stores for rifles							
5. In Form XII to sell and keep for sale breech loading rifles, rifle ammunition or military stores for rifles							
6. In Form XIII for the possession by holders of licences in Form IX, X, XI or XII of fire arms deposited by their owners for safe keeping							
7. In Form XIV for the possession of arms (other than pistols or revolvers), ammunition or military stores							
8. In Form XV for the possession and use, for the purpose of target practice of fire-arms and ammunition.							
9. In Form XVI for the possession of arms and ammunition and for going armed for the purpose of sport, protection and display.							
10. In Form XVII for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to human beings or cattle							
11. In Form XIX for the possession of arms and ammunition and for going armed for the destruction of wild animals doing injury to crops or cattle.							
12. In Form XX for going armed on a journey in or through any Province.							

N B—This return will be prepared for the calendar year and will be submitted to the I G. of Police through the Dy. Comr

\* For the sake of convenience the Form numbers shown in column 1 are those under the rules of 1924

(1) to remit all fees payable under schedule II of the former Act upon applications in the N.-W. F. Province for the grant or renewal of licences or duplicates under the Indian Arms Rules, 1924, in respect of which a fee is payable under these rules, and,

(2) to reduce to one anna all fees exceeding one anna payable under the said Schedule upon other applications relating to licences or duplicates granted or renewed under the said Rules.

### Local Rules and Orders.—[Madras.]

1. *Vide* Note (4) to section 15 of the Act on page 52, *ante*. All arms, ammunition and military stores **within the Malabar District**, shall be deposited with the Officer in charge of the nearest Police Station and all licences issued for the possession or carrying of arms within the Calicut, Ernad, Walivanad and Ponnani talukas in the Malabar District are cancelled. (G. O., No. 260 dated the 30th Jan. 1885, No. 355, dated the 6th Feb. 1885 and No. 222 dated the 10th September 1922.)

2. The exemption granted under section 27 of the Arms Act to members of local boards by G. O.'s No. 783 dated the 6th April 1880, and No. 164 dated the 24th Jan. 1894, are withdrawn but the exemption is to continue personal to existing members of the local boards so long as they remain such. (G. O. No. 724, dated the 24th April 1895.)

3. Guns, imported from and exported to Pondicherry, without a license, are liable to be detained by the Customs Officers. They should in all such cases submit a detailed report to the Circle Inspector. All cases of smuggling of arms, ammunition and military stores should also be reported for the orders of the Circle Inspector.

(2) In order that a firearm covered by a licence may be identified with the one described in the licence, its description should be as full as possible. "One double barrellled gun," for instance, without the maker's name and number or other identifying marks, is insufficient to describe the weapon in such a manner as to preclude the possibility of all attempts at fraud by the substitution of one gun for another, for any number of guns can be imported from the French territory with such a licence. The weapon of respectable sportsmen should not, however, be detained merely on this account. Should the description or the weapon given in the licence be defective, full particulars should be reported to the District Magistrate, through the Officer in charge of Land Customs, with a view to the defect being remedied.

4. A license is required for transport even within the confines of the same district. No licence, however, is necessary for the removal of ammunition from one magazine or ware-house to another in the same locality (G. O. No. 3232, dated the 6th Dec. 1883, No. 2551, dated the 7th Oct. 1884, and G. O. No. 2457, dated the 17th Nov. 1883). (*Vide* Notes to section 10 of the Act, p. 49, and to rule 21 of the Rules, p. 98).



5. Search at Sayer stations—*Vide* Note to section 11 of the Act, on page 50

67 Special exemptions—*Vide* Note (5) under Schedule I page 128, *ante*

8 The new forms of accounts for dealers in arms and ammunition prescribed in G O No 1762 Judl dated the 17th Dec 1909, have been objected to on the ground that they will increase the amount of scriptory work and stationery required to keep the accounts. The Government consider these objections not altogether unfounded but it is necessary that the registers should furnish complete information not only of the purchase of any lethal weapon, but also of the identity of the various weapons in stock in order that it may be possible to trace them in case of theft. They have revised forms of stock book and sale book appended to these proceedings which should be used in lieu of those prescribed by G. O. No 1762 dated the 17th December 1909

9 The special stock book for firearms (Form C) is to be maintained in addition to the general stock book except by dealers who keep rebate book which gives all the information specified in the Form

10 Dealers occasionally also receive arms and ammunition from persons who wish to effect their disposal, and the Government consider it necessary that all such arms and ammunition should be separately accounted for in an additional register (in Form D) showing receipts and disposals of such arms and ammunition

11 Dealers in ammunition are also required to take out licences under the Explosives Act, and the conditions of these licences require the maintenance of stock books and sale books. The Government have prescribed the forms printed to be maintained under the Explosives Act. The forms of stock book and sale book are similar in principle to the forms prescribed under the Arms Act. Dealers who hold licences under both the Arms Act and the Explosives Act in respect of the same kinds of ammunition, or whose licences under the Explosives Act have been endorsed to have validity under the Arms Act, need keep only the stock books and sale books prescribed under the Arms Act, provided that they contain columns to exhibit all the articles which the dealer is licensed to keep under both Acts

12 District Magistrates and the Commissioner of Police are requested to inform all licensees concerned of these orders, and to see that the revised forms are brought into use

#### FORM A (Madras Rule 8)

STOCK BOOK of \_\_\_\_\_, son of \_\_\_\_\_ resident of \_\_\_\_\_, licensed to manufacture, convert, sell or keep arms, ammunition or military stores according to licence

No \_\_\_\_\_ of 19 \_\_\_\_\_ in Form  $\left. \begin{array}{c} \text{XI} \\ \text{XII} \\ \text{XIII} \\ \text{XIV} \end{array} \right\} *$  of the rules under the Indian Arms

Act, 1878 and licence No \_\_\_\_\_ of \_\_\_\_\_, in Form  $\frac{A}{B}$  of the rule under the Indian Explosives Act 1881

\* *Vide* footnote to this form on next page

[illegible]

DESCRIPTION.

AMMUNITION.																											MILITARY STORES.						
15	*450 loaded rifle cartridges.	16	Loaded cartridges for rifles of bores ranging from .290 to .320 excluding .303 bore.	17	Other loaded rifle cartridges.	18	B. L. (not rifled) cartridges loaded locally.	19	B. L. (not rifled) cartridge imported from Europe, etc.	20	Cartridge cases.	21	Revolver cartridges.	22	Pistol cartridges.	23	Gunpowder.	24	Percussion caps.	25	Fuses.	26	Gun cotton.	27	Dynamite.	28	Sulphur.	29	Lead bullets,	30	Lead bird shot.	31	REMARKS.

NOTE.—(a) Column 2 should show (i) balance in stock, (ii) fresh receipts with descriptive details, such as, the name and address of the firm supplying them and (iii) day's total issues according to sale book.

(b) *Column 3 to 30*—if any dealer has not a licence for any of the classes of arms, etc., specified, the unnecessary columns may be omitted. If on the other hand, he has a licence for any other defined species, an appropriate column should be added. The dealer's licence should be kept in the stock book for purposes of reference.

## FORM B. (Madras Rule 8.)

DAILY sale and issue book of \_\_\_\_\_, son of \_\_\_\_\_, resident of \_\_\_\_\_ licensed to manufacture, convert, sell or keep arms, ammunition or military stores according to \_\_\_\_\_

to licence No. \_\_\_\_\_ of 19\_\_\_\_, in Form  $\left. \begin{array}{c} \text{XI} \\ \text{XII} \\ \text{XIII} \\ \text{XIV} \end{array} \right\}$  of the rules under the Indian

Arms Act, 1878, and licence No. \_\_\_\_\_, in Form  $\frac{A}{B}$  of the rules under the  
Indian Explosives Act, 1884.

\* Corresponding Forms.—Vide Licence Forms IX to XII attached to the Indian Arms Rules, 1924.

1	2	3	4	DESCRIPTION											16	17	18
Date of sale	Name and father's name of purchaser	Profession of purchaser	Residence of purchaser	FIRE ARMS											OTHER WEAPONS, IMPLEMENTS, ETC		
				303 B L rifles	450 B L rifles	B L rifles of bores ranging from 290 to 320 excluding 303 bore	Other B L rifles	B L arms (not rifled)	Muzzle loading arms	Revolvers	Pistols (magazine)	Description of weapon (single or double barrel)	Maker's name	Number of the weapon	Swords	Anvils	Implements
5	6	7	8	9	10	11	12	13	14	15							

DESCRIPTION																	
AMMUNITION													MILITARY STORES				
303 loaded rifle cartridges	450 loaded rifle cartridges	Loaded cartridges for rifles of bores ranging from 290 to 320, excluding 303 bore	Other loaded rifle cartridges	B L (not rifled) cartridges imported locally	B L (not rifled) cartridges imported from Europe, etc	Cartridge cases	Revolver cartridges	Pistol cartridges	Gunpowder	Percussion caps	Fuses	Gun cotton	Dynamite	Sulphur	Lead bullets	Lead bird shot	Signature of purchaser or authorized agent and if purchaser is licensed, number, date and form of license
19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36
																	REMARKS
37	38																

NOTE—(1) Details of issues to manufactory for loading, etc., should be entered in the appropriate column

(2) Column 2—Father's name—need not be entered if purchaser's profession and residence are sufficient for identification. Column 3 should always be filled up

(3) Columns 5 to 35—If any dealer has not a licence for any of the classes of arms, etc., specified, the necessary columns may be omitted. If on the other hand, he has a licence for any other defined species, an appropriate column should be added

(4) Column 36—If the purchase has been made by post or telegram, the fact should be noted in the column

FORM C. (Madras Rule 9).—Stockbook of firearms in possession of—, son of—, resident of—, licenced to manufacture, convert, sell or keep arms under licence No.—of 19 , in Form No.—of the Rules under the Indian Arms Act, 1878.

Date of receipt.	Description of arms.	Maker's name	Number of arm.	Mode of acquisition. If by sea vessel by which imported with date of arrival. If supplied by a firm in India, name and address of dealer.	Date of sale.	REMARKS.
1	2	3	4	5	6	7

FORM D. (Madras Rule 9).—Register of—, son of—, resident of—, showing stock and disposal of arms and ammunition received for sale on commission.

RECEIPTS.						DISPOSALS.			
Date of receipt.	Sender's name and address in full.	Particulars of sender's exemption or licence.	Description of weapon.	Maker's name and number of the weapon.	Description and quantity of ammunition.	Date of sale.	Purchaser's name and address in full.	Signature of purchaser and dealer, and if purchaser is licensed, number, date and form of licence.	REMARKS.
1	2	3	4	5	6	7	8	9	10

### Maintenance of Arms Licence Registers and the Grant and Renewal of Licences in Form XVI.

13. All District Magistrates, Taluk Magistrates and Deputy Tahsildars and Sub-Magistrates in zemindari tracts and station-house officers will **keep in Form A, decennial registers of licences** issued under the Arms Act in Form XVI to persons residing in the areas with which they are respectively concerned. In the office of the District Magistrate a separate register will be maintained for each taluk or Deputy Tahsildari. In each taluk register the entries will be arranged by police stations and villages, the villages within the limits of each police station being arranged in alphabetical, or other convenient order. A page or more will be allotted to each village, as may be found necessary, no village being omitted although no licensee resides therein. Entries relating to hamlets will be placed under the parent village. The page numbers of each taluk register will be consecutive throughout the register. An index of villages arranged in alphabetical order will be placed at the beginning of each taluk register. The serial number of the licence will be a fraction of which the number of the page of the register in which it is registered is the numerator and the number of the line is the denominator, preceded or followed by a letter indicating the taluk (e.g.  $\frac{26}{5}$ ). The entries in the registers maintained in subordinate offices which will be supplied in the first instance from the District Magistrate's office must therefore correspond exactly, page to page, and line to line with the entries in the register maintained

in the District Magistrate's office. The District Magistrate will fix dates between the 1st and 15th January for the submission to him of each taluk register in the district. Necessary entries will be made in the District Magistrate's office in these taluk registers relating to all licences renewed or the renewal of which has been refused for the year just begun. The taluk register will be returned to the Sub-Magistrate with as little delay as practicable. About the 1st of the second month of each quarter each station-house officer will take or send his register to the Taluk or Deputy Tahsildar's office, as the case may be, have it checked with the register maintained in that office, and corrected and brought up to date. All officers of the Police Department of and above the rank of Inspector, will inspect the police station register at every inspection of the station and see that it is properly maintained.

14. At the end of each register, maintained in the office of a District or Taluk Magistrate or Deputy Tahsildar, and at a police station, an abstract will be made in Form B showing the number or weapons of each kind licensed in the taluk or station. A fresh abstract will be opened at the beginning of each year by counting the licences already granted or renewed for the year by the 1st January. Whenever an alteration is made in the body of the register, either by reason of the grant of a new licence or the cancellation of or refusal to renew an old licence, a corresponding entry will be made in column 1 of the abstract by quoting the register number of the licence, preceded by a + sign in the case of a new licence and a - sign in the case of a cancellation of or refusal to renew a licence, the necessary entries in columns II, III and IV of the abstract will be made whenever a line in column 1st is complete—the net total should then be struck in column II of the abstract.

15. Applications for licences may be sent to the District Magistrate or to the Taluk Magistrate or the Deputy Tahsildar and Sub-Magistrate in Zamindari tracts, or to the station-house officers. Printed forms of application in the vernacular on impressed stamps will be kept for sale to the public. Applications received by the district Magistrate direct will be sent to the Taluk Magistrate or to the Deputy Tahsildar and Sub-Magistrate in Zamindari tracts for report. Taluk Magistrate and Sub-Magistrate in Zamindari tracts will forward to the police for report only the applications which they receive direct or through their District Magistrate, from individuals whose character, status or reputation is unknown or doubtful, they will submit all others to the District Magistrate direct with their own reports. Station-house officers will forward their reports on applications for new licences to the District Magistrate through the Police Inspector and the Taluk Magistrate or the Sub-Magistrate in Zamindari tracts. Taluk Magistrate or the Sub-Magistrate in Zamindari tracts will see that the correct names of the village, hamlet (if necessary) and police station within whose limits the village is situated are correctly entered in the application before submitting it with his report to the District Magistrate. Application for renewal of licences should be submitted early during the last quarter of the year preceding that for which the

renewal is desired as all weapons for the possession of which renewed licences have not been issued by the 1st January must be deposited in the police station. Printed forms of application in the vernacular on impressed stamps will be kept for sale to the public. Each application should be accompanied by the licence and may be sent either to the District Magistrates direct or to one of the other officers mentioned \* \* \*. Subordinate Magistrates and police officers, who may receive such applications, should submit them at once without remark (unless some reason for refusing renewal is already known to them) to the District Magistrate direct.

16. District Superintendents of Police will issue instructions to their subordinates to report at once any information which may indicate that the **renewal of any licence is undesirable**. About the end of September in each year the Superintendent of Police and Taluk Magistrate and in Zamindari tracts, Deputy Tahsildars and Sub-Magistrates will supply the District Magistrate confidentially with any information which would appear to render the renewal of any existing licence inexpedient.

17. Licences will be issued in printed form in the vernacular. If the District Magistrate grants, renews, or declines to renew, a licence, he **should send the licence order** to the licensee either—(i) through the post, service paid, the nature of the contents being clearly noted on the cover in the vernacular (e. g., "licence for the possession of a gun"); or (ii) through the Taluk Magistrate, or the Deputy Tahsildar and Sub-Magistrate in the Zamindari tracts; or (iii) through the officer in charge of the nearest police station.

If the District Magistrate, on an application for a new licence, refuses to grant the licence, the order of refusal should be forwarded to the applicant through the Taluk Magistrate or Sub-Magistrate in Zamindari tracts for the information of the officer. If the licence or order sent by post is returned through the Dead Letter office, it should be sent out for delivery to the addressee through the local Taluk Magistrate or Deputy Tahsildar and Sub-magistrate or the officer in charge of the nearest police station.

18. At the close of each month the District Magistrate will forward to the Subordinate Magistrates concerned **lists of the licences granted, renewed, cancelled or the renewal of which he has refused** during the month in Forms C and D. Licences renewed for the year following that in which the lists in Form C are sent need not be shown in the list. Licences the renewal of which is refused for the following year should be included in the lists in Form D, in order that action may be taken to see that the arm covered by the licence is not retained illegally by the licensee after the close of the year. If a licence is not renewed, the District Magistrate will state in the last column of the list in Form D, the reason for non-renewal (such as the death of the licensee, the transfer of the weapon by sale, gift or otherwise) and should see that the weapon is not retained by any person who is neither exempted from the operation of the Indian Arms Act in respect of such weapon nor licensed to possess it.

19 Not later than the 15th January of each year the District Magistrate will forward to the Superintendent of Police (in Form E) lists of licensees who have not applied before the 1st January for the renewal of their licences with the request that he will ascertain and report the causes of the omission, whether the arms have been deposited in the police station, and whether a prosecution has been instituted in each case in which the arms were not duly deposited in the police station, a separate list will be sent for the village in each police station. The list should be returned to the District Magistrate's office not later than the 15th March by the District Superintendent of Police with his report and recommendation whether the unrenewed licence should be renewed or not

20. When the Taluk registers are submitted to the District Magistrate the District Magistrate will have them compared with the register maintained in his office, so far as the entries relating to the previous year are concerned, and corrected, if necessary, before the abstracts in the registers maintained by subordinate officers are compared with the abstract of the register maintained in the District Magistrate's office, the figures in the latter should be verified by counting the outstanding entries in the body of the register. The District Magistrate will include in his annual report brief remarks regarding the maintenance of these registers throughout his district. For this purpose the District Superintendent of Police will report annually not later than the 1st February to the District Magistrate of the maintenance of the register by station house officers during the previous year

21. Licensing officers may allow to licence holders the following minimum quantities of ammunition —

For smooth-bore breech loading guns—25 loaded cartridges or 1 lb gunpowder, 1 box caps, and 25 empty cases.

For muzzle loading guns—1 lb gunpowder and 1 box caps,

For rifles—10 cartridges or 1 lb gunpowder, 1 box caps, and 10 empty cases.

For pistols and revolvers—50 cartridges

22 The quantity of shot that may be possessed by a licensee need not be entered in the licence as under para. 6 of G O No 1615 dated the 22nd Nov. 1909, provided when possessed in quantities not exceeding 1 cwt at any one time, is exempt from the operation of the Indian Arms Act, 1878.

23 The following instructions are issued for the guidance of District Magistrates and the Commissioner of Police in regard to the registration of retainers in forms XVI and XIX (present forms XVI and XX) of the licence. These restrictions should be strictly observed

24 See Rules under section 16 of the Act on page 55 ante

25 Register for licences in forms XV and XVII [present forms XIV and XVIII] may be maintained in the appended forms A 1 and

A-2. The forms will not be standardised and may be altered to suit local requirements. If District Magistrates find it convenient in districts where licences in these forms are few to enter them in the existing register A or in Register A-3 appended, this may be done. For licences in form XVIII [present form XIX] to which the Government attach growing importance a separate register in form A-3 should be opened. This form will be standardised and new register may be written up during 1915.

26. Powers and duties of police officers under the Arms Act:—

(1) To arrest any person found carrying or conveying any arms, ammunition or military stores, whether covered by a licence or not, in such manner or under such circumstances, as to afford just grounds of suspicion that the same are being carried by him with intent to use them, or that the same may be used, for any unlawful purpose; (2) to take such arms, ammunition or military stores from him; (3) to take without unnecessary delay such person's arms, ammunition and military stores before a magistrate (section 12); (4) to disarm any person going armed without a licence or in contravention of the terms of a licence (section 13). 'The last-named person commits an offence under section 19 (c) which is cognizable. He may therefore, be arrested, but this should not ordinarily be done unless the circumstances require it. The case will be reported to the magistrate having jurisdiction and a process obtained.

27. (1) The offences detailed in sections 19 and 20 are cognizable. (2) The District Magistrate's sanction is requisite to a prosecution under section 19 (f), (section 29). (3) Under section 28 all persons are bound to give information of offences under the Act, which comes to their knowledge.

28. (1) Persons (whether licenced or not) are forbidden to go armed in railway carriages, to fairs, religious processions or other public assemblies, unless specially authorised by the officers granting the licences.

29. Responsibility of dealers.—*Vide* Note (1) to section 22 of the Act, page 72.

30. (1) A register of licences granted under the Arms Act shall be maintained in every station. Rules for its maintenance and the grant and renewal of licences are given in para 13 on page 348 *ante*. This register will be supplied by the District Magistrate. (2) The station licence register shall be taken to the Taluk clerk who keeps the register.

31. Disposal of confiscated arms.—See note (3) to section 24 of the Act, on page 74 *ante*.

FORM A—(Madras Rule 25)

**Village.**—

Page Line	Register Number	Residence of Licensee (Hamlet)	NAME.		Nature of the arms.	Nature of arms.	DATE OF RENEWAL, GRANT, CANCELLATION OR ORDER REFUSING RENEWAL OF LICENCE FOR THE YEAR. :—										Remarks showing dis- posal of weapon if license is not renewed.
			Of licensee.	Of his father.			7	8	9	10	11	12	13	14	15	16	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	



NOTE.—In column 5 R.=Rifle, G.=Smooth-bore gun, M.=Magazine, D B = Double barrelled S. B = Single barrelled, B L = Breech loading M. L = Muzzle-loading percussion cap Ma. L = Match lock, F. L = Flint lock, Re.=Revolver, P = Pistol, B. = Bayonet, S = Sword, D. = Dagger.

FORM A-1, (Rule 24)

Police Station—

Village—

Register Page Line	Residence of the licensee (Hamlet).	NAME		ARMS, AMMUNITION OR MILY STORES COVERED BY LICENCE		Place (with description) where articles are to be kept.	Period for which the licence is valid	DATE OF GRANT OR RENEWAL					When licence cancelled or not renewed, disposal number, and date of District Magistrate's order and disposal of weapon.
		Of licensee	Of his father.	Description	Quantity.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14

FORM A-2, (Rule 25)

Police Station—

Village—

Register Page Line	Residence of the licensee	NAME		ARMS OR AMMUNI TION COVERED BY LICENCE		Place or tract within which licence is valid	Specification of the wild beast which may be destroyed under the licence.	PERIOD FOR WHICH THE LICENCE IS VALID		PRODUCTION OF WEAPON AND LICENCE BEFORE MAGISTRATE		When licence cancelled or not renewed, disposal number, and date of District Magistrate's order and disposal of weapon
		Of licensee.	Of his father.	Description	Quantity.			From	To	Date of produc tion	Designation of the Magistrate before whom pro- duced	
1	2	3	4	5	6	7	8	9	10	11	12	13

FORM A 3, (Rule 25)

Police Station—

Village—

Register Page Line	Residence of licensee (Hamlet).	NAME		Name and description of any member of the licensee as family or servant residing with him and employed in watch crops or cattle, by whom also the arms covered by this licence may be used	ARMS OR AM MUNITION COVERED BY LICENCE		Place or tract within which the licence is valid	PERIOD FOR WHICH THE LICENCE IS VALID		When licence cancelled or not renewed, disposal number and date of District Magistrate's order and disposal of weapon
		Of licensee.	Of his father.		Description	Quantity		From	To	
1	2	3	4	5	6	7	8	9	10	11

FORM B. (Rule A).—Abstract of the Number of weapons of the several kinds.

NOTE.—D. B.—Double barrellled; S. B.—Single-barrellled; B. L.—Breech-loading; M. L.—Muzzle-loading percussion-cap.

I Details showing the Page Number and Line Number of every new Licence granted and old licence cancelled.	II GRANTED.														III GRANTED.														IV Date and initials, of the Magis- terial Head Clerk.
	Rifled arms.			Smooth-bore guns.											Rifled arms.			Smooth-bore guns.											
	Magazine.	Double-barrelled.	Single-barrelled.	D. B. B. L.	S. B. B. L.	D. B. M. L.	S. B. M. L.	Match-locks.	Flint-locks.	Revolvers.	Pistols.	Bayonets.	Swords.	Daggers.	Magazine.	Double-barrelled.	Single-barrelled.	D. B. B. L.	S. B. B. L.	D. B. M. L.	S. B. M. L.	Match-locks.	Flint-locks.	Revolvers.	Pistols.	Bayonets.	Swords.	Daggers.	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	3	4	5	6	7	8	9	10	11	12	13	14	

FORM C. [Rule 18].—Proceedings of the District Magistrate of \_\_\_\_\_, dated \_\_\_\_\_  
No \_\_\_\_\_ of 19 \_\_\_\_.

The District Magistrate of \_\_\_\_\_ has been pleased to grant licences for the year 19 \_\_\_\_—19 \_\_\_\_ under the Indian Arms Act to the following individuals residing in the \_\_\_\_\_ Taluk \_\_\_\_\_ of \_\_\_\_\_ for the weapons specified against their names. Deputy Tahsildari \_\_\_\_\_

2, The \_\_\_\_\_ Taluk \_\_\_\_\_ Sub. Magistrate of \_\_\_\_\_ is requested to cause the necessary entries to be made in his copy of the register of licences under the Indian Arms Act. The number and date of this order should also be entered in red ink in the appropriate column under the heading "Date of renewal, grant, cancellation or order refusing renewal."

Page Number.	Line Number.	Village and Hamlet.	Licensee's Name.	Father's Name.	Nature of the arm.	Number of arms.	Police Station and Circle.
1	2	3	4	5	6	7	8

NOTE.—(1) The entries in columns 3, 4, 5, 6, and 7 above should be neatly copied in the appropriate column of the licence Register on the page specified in column 1 and in the line noted in column 2.

(2) In column 6, R.—Rifle, G.—Smooth-bore gun, M.—Magazine, D. B.—Double barrellled, S. B.—Single barrellled, B. L.—breech-loading, M. L.—Muzzle-loading percussion cap, Ma. L.—Match-Lock, F. L.—Flint-lock, Re.—Revolver, P.—Pistol, B.—Bayonet, S.—Sword, D.—Dagger.

FORM D [Rule 18]—Proceedings of the District Magistrate of \_\_\_\_\_  
No \_\_\_\_\_ of 19 \_\_\_\_\_

dated \_\_\_\_\_

The District Magistrate of \_\_\_\_\_ has cancelled or refused to renew for the year 19 \_\_\_\_\_—19 \_\_\_\_\_, the licences issued under the Indian Arms Act to the following individuals residing in the \_\_\_\_\_ Taluk of \_\_\_\_\_ Deputy Tahsildari for the weapons specified against their name

2 The \_\_\_\_\_ Taluk \_\_\_\_\_ Sub \_\_\_\_\_ Magistrate of \_\_\_\_\_ is requested to cause the word 'cancelled' to be neatly written in red ink in the register of licences issued in form XVI against each licence mentioned below immediately after the last "Renewal entry. The entry in the "Remarks" column below should also be noted after the word 'cancelled' with the Number and date of this proceeding\* A red ink line should also be drawn through the entries in the register relating to the licence

Page No	Line No	Village and Hamlet	Licensee's Name	Father's Name	Nature of the arm	Number of arms.	Police Station and Circle	Remarks (Reason for cancellation and disposal of weapons)
1	2	3	4	5	6	7	8	9

\* EG—Cancelled—Died L C Dis No 1 1904', 'Cancelled—weapon sold L, C. Dis No 2 1904', Cancelled unrenewed L C Dis No 3 1904', etc, etc

—Smooth bore gun M—Magazine, D B—  
B L—Breech loading M L—Muzzle-  
lock, F L—Flint lock, Re—Revolver, P—  
er

FORM E [Rule 19]—List of Persons who have not applied for the renewal of their licences in Form XVI in \_\_\_\_\_ Division, \_\_\_\_\_ Taluk, \_\_\_\_\_ District for the year 19 \_\_\_\_\_, on or before the 1st January 19 \_\_\_\_\_.

Name of the Village and Hamlet if any	Number and name of Licensee who has not renewed his licence	Father's Name.	Nature of arms	Number of arms	Police Inspector's Report as to the cause to the omission or renewal of license in each case	Remarks	Order of District Magistrate
1	2	3	4	5	6	7	8

NOTE—In column 6 R—Rifle, G—Smooth-bore gun, M—Magazine, D B—Double barrelled, S B—Single barrelled B L—Breech loading M L—Muzzle loading percussion cap Ma L—Match lock, F L—Flint lock Re—Revolver, P—Pistol, B—Bayonet, S—Sword, D—Dagger.

## LOCAL RULES AND ORDERS [MADRAS.]

FORM NO. 17.—Report of the Inspection held by the Inspector of Police of Circle of shops licensed under the Arms Act and of shops declared under Rule 31 of the Rules under the Explosives Act to have been licensed under the Arms Act, for quarter ending—.

1	Name of licensee and date of Inspection.	2	Place of Business.	3	Number and date of licence and the Form in which it is granted.	4	Quantity licensed to be possessed at one time.	5	Description of arms, ammunition or explosives.	6	Quantity licensed to be possessed for the whole year.	7	Balance on hand on 1st January in the shop and the magazine.	8	Manufactured or received from 1st January to date of Inspection.	9	Sold from 1st January to date of Inspection.	10	Balance on hand on date of Inspection in the shop and the magazine.	11	Whether accounts Nos. 1, 2 and 4 are properly kept.	12	Remarks, noting whether a quantity in excess of licence was ever maintained.
									Sulphur ...														
									Shot ...														
									Caps ...														
									European gun powder ...														
									Country gun powder ...														
									Blasting powder ...														
									Fire-works.														

FORM No. 16.—Report of Inspection of Stock, Premises and Books of Persons licensed under the Indian Arms Act in Forms to manufacture, convert, keep or sell arms, ammunition or military stores (G. O. No. 1453, Judl, dated 30th September. 1882.)

Name, Father's Name and Residence of Licensee.	Date and Form of License.	Place of Business.	Date of Inspection by Superior Officer of police.	REMARKS.
1	2	3	4	5

FORM No. 79.

Superintendent of Police.

No. 79.												Superintendent of Police.									
Serial Number.		Date.		Particulars of arms.		By whom deposited or from whom taken.		RESIDENCE.		Signature of Station house officer, owner, and a witness when arms are deposited.		If licence obtained, when.		If licence not obtained how were arms disposed of.		Designation of Magistrate passing order.		Signature of owner for return of arms, with date.		Signature of Station-house officer, and date of disposing of arms.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
				Village.	Taluk.																

32. In order to mitigate the inconvenience caused to travellers entering India by sea by the provisions of section 6 of the Indian Arms Act, 1878, the Government, after consulting the Board of Revenue (Separate Revenue), the Collector of Customs, and the Commissioner of Police, Madras, are of opinion that the instructions of the Collector of Customs issued in his departmental order No 22, dated the 16th November 1920, are sufficient for the purpose (G. O. No. 667, Judicial, dated 23rd September 1921).

The following departmental order (of the Collector of Customs No 22, dated the 16th November 1920) is issued tentatively in connexion with the procedure to be followed in respect of firearms brought by passengers from abroad proceeding to destinations up country without the necessary licences for importation or possession —

(1) In cases where there is obviously no doubt about the social standing of the passenger, a permit may be passed on payment of a fee of Rs. 100 at the time that he should obtain the licence for his destination. As a safeguard the Collector of Customs, in giving all necessary details in regard to the arm or arms and the owner thereof should be immediately sent by the Customs Collector of the port of importation to the licensing authority for the place to which the passenger is proceeding. (2) In cases however, where the Assistant Collector, Preventive Department at Madras, or the Inspector or the Customs Collector at an outpost is doubtful as to the propriety of allowing any weapon to be removed without a licence the existing procedure viz detention of the arm or arms until the necessary licence is produced, should be followed.

**Notification**—Under rule 43 sub rule (2) of the Indian Arms Rules, 1920, the following procedure shall be adopted in respect of licences to be issued under the Indian Arms Act, 1878 —

Application for licences or duplicates thereof may be made on plain paper or on impressed stamps. In the former case the applicants shall supply impressed stamps of the value equal to the amount of fee leviable in respect of such licences or duplicates. In the latter case the balance of the fee leviable after deducting from the licence fee the value of the stamp on which the application is made, shall be made good by non judicial stamps to be supplied by the applicant. The stamped paper so prefixed to the applications need not contain anything but the signature of the applicant.

Application forms printed on  
of Police in the Madras City

\* (Application for <sup>new</sup> renewal of gun licence)

of old licence ?

- 1
- 2
- 3
- 4 Occupation
- 5 Description of arms or ammunition required to be possessed
- 6 Purpose—
- (a) Is it for protection ? (b) Is it for possession only ? (c) Is it for sport ?
- 7 Area which applicant wishes to go armed
- 8 If retainers are required—
- (a) Their number, (b) their names, (c) their addresses,
- 9 Is the licence required for an old weapon now in deposit, or for a fresh weapon to be purchased ?
- 10 Whether applicant had applied for a licence at any time before, and if so with what result ?

Date

Signature of Applicant,

(G. O. No 644 Judicial dated the 21 September 1921)

33. A question has been raised whether under rule 37 (3) [present rule 42 (3)] of the Indian Arms Rules, a licence granted in one district can be **Renewed** in another district. According to this rule every licence may be renewed by the authority who granted that licence; it does not lay down that the licence shall be renewed by the very officer who granted it. The Government therefore consider that licensing authorities are competent to renew in their districts, a licence originally issued in another district by **licensing officers of his status**. (G. O. No. 237 Judl. dated the 21st June 1921).

34. Application for licences.—*vide* Note under rule 40, page 117, *ante*.

35. Rules under section 16 of the Act, *vide* page 55, *ante*.

36. Malabar District,—*vide* Note (2) under section 15 of the Act, on page 52 *ante*.

37. Bayonets swords and daggers.—*vide* Note (1) and Schedule II, page 144.

38. It has been brought to the notice of Government that instances are becoming common in which **persons leaving the country** deposit their firearms with friends or others without ascertaining whether the persons with whom they deposit the arms possess the necessary licences or not and without intimating the fact of such transfer of arms to the licensing authorities. It is also reported that weapons so deposited are not infrequently used by persons who have no licence to use them. To deposit arms except in the manner prescribed under the Arms Act constitutes an offence punishable under the Act. The Government therefore desire to warn all licensees and the general public against such violations of the provisions of the Arms Act and Rules. The proper procedure to be followed in such cases is for the licensee to deposit his weapons for safe custody in a police station or with a licensed dealer, *i. e.* the holder of a licence in Form IX, Form X, Form XI or Form XII of the rules. In the latter case a licence in form XIII, which is issued free of fee, should be obtained by the licensed-dealer for the possession of such arms. A licensee may also at his option leave his weapons, other than pistols and revolvers, with a private person, provided that a licence in Form XIV, which is also issued free of fee, is obtained in the name of such person. In the case of revolvers and pistols, however a fresh licence in Form XVI, should (on payment of the prescribed fee) be obtained by the person in whose custody they are left. The Government trust that the procedure described above will be strictly followed in future by all licensees. (Madras G. O. No. 49 dated the 28th Jan. 1926).

39. It will be necessary in future to obtain licences from the local Government to re-import rifles of '303 and '450 bores and pistols and revolvers of '441, '455 and intermediate bores; but it will be left to the Customs authorities to give the necessary permission to re-import such weapons when the required conditions are satisfied. The re-importation of such weapons will be permitted only on the four conditions specified—(*Vide* note no. (10) to Rule 7 (on page 91) referred to in Burma Cir. no. 42 of 1903). (Madras G. O. No. 658 dated the 2nd Nov. 1926).

## LOCAL RULES AND ORDERS—BOMBAY

1. It should be borne in mind that the mere possession of arms other than firearms, as distinguished from going armed is not illegal except in the places to which section 15 of the Indian Arms Act, 1878, has not been extended, (Police Man para 366) For the places to which this section has been extended see Note (2) to section 15 on page 52 *ante*

2 The system followed in the City of Bombay for the verification of sales of arms and ammunition by local dealers has been prescribed for the Bombay Presidency But the sale of gunpowder and percussion caps need not be recorded in the sale of arms prescribed under that system (Police Man para 369 and G O No 5336 dated the 9th Sep 1911 No, 367 dated the 18th Jan 1912 and I G's Cir Nos 16118 B dated the 27th Oct 1911 and 1971 B dated the 7th Feb 1912)  
(a) Verification slips of arms sold to person residing in Rangoon should be sent to the Commissioner of Police Rangoon when the purchaser resides in Rangoon and to the District Superintendent of Police concerned when the purchaser resides elsewhere in the Province As regards Madras the slips should be sent to the Commissioner of Police, Madras or the District Magistrates concerned Similar verification slips sent from Madras and Rangoon will be addressed as follows —

The Commissioner in Snd—in the case of purchasers residing in Snd

The Commissioner of Police Bombay—in the case of purchasers residing in the Bombay City

The District Superintendent of Police concerned—in the case of purchasers residing elsewhere in the Presidency (Res No 7019 dated the 1st Oct 1912)

3 *Vide* Note (7) under section 6 of the Act on page 48 *ante*

4 *Vide* Note (1) under section 13 of the Act on page 5 *ante*

5 *Vide* Notes (10) and (2) respectively under sections 25 and 30 of the Act on pages 78 and 82

6 *Vide* Note (4) under section 15 of the Act on page 53 *ante*

7 *Vide* Note (10) to section I of the Act on page 40 *ante*

8 (9) to 40 *ante*

9 (11) to 40 *ante*

10 (12) to 41 *ante*

11 No non-commissioned officer, or soldier on discharge may be granted a pass to carry any weapon If he has in his possession at the time of his discharge any weapon to which he is lawfully entitled under the Arms Act he must on taking his discharge if his home is situated within the limits of British India obtain from the Magistrate a licence for the same If his home is situated beyond the limits of British India, he must obtain from the Magistrate an export licence (Resn 5731, dated the 12th August 1899)

12 Passes to carry arms and ammunition, under the Indian Army Regulations to sepoys and native officers of British Army in the Colonies when returning to India have no validity (Res No 6108, date the 5th Sept 1894)

13 A case was brought to the notice of the Government of India in which a soldier of the Native Army employed under a Civil Department purchased a rifle in British India and obtained, from the Officer of the Department under whom he was serving an

**informal pass or permit**, with the object of smuggling the rifle across the N. W. Frontier. Para \* \* \* \*, A. R. I., permits a Commanding Officer to give passes to soldiers proceeding on furlough from a regiment. But no other authority is empowered to grant a pass to a native soldier any more than to any person, and a native soldier serving away from his regiment can only obtain authority to possess a gun or rifle by applying to the Magistrate for a licence under the Arms Act. *For Rules relating to possession of arms by Indian officers and soldiers—see A. R. I., Vol II, App. III, printed as Appendix D to U. P. R. and O., page 291.*

14. Heads of Departments and the officers serving under them should, therefore, note that they have **no authority to grant permits or passes** to their subordinates to carry arms not required by them for the execution of their duty and referred to as such in the exemptions granted under Schedule I of the Indian Arms Rules. (Bombay No. 7939, dated the 14th Nov. 1895).

15. An instance having occurred in which a licence granted by Government could not be traced on the records of the office of a District Superintendent of Police, and apparently the District Magistrate had nothing on his records to show that the consignment covered by that licence ever reached its destination, Government ruled as follows :—

It is in the opinion of Government of the utmost importance that the head of a district should know at any time without difficulty the amount of arms and ammunition entering his district and whether a consignment reaches its destination. If a duplicate copy of the licence were sent to and returned by the District Superintendent of Police under his signature when a consignment reaches the consignee, all doubt on this point would be removed. It is possible that similar difficulty in checking imports might be experienced as regards other districts, and it is desirable that an accurate and readily verifiable check should be kept in future on the movement of arms and ammunition.

16. The **control of imports of ammunition** into British Districts rests primarily with the District Magistrate and he should carefully maintain a register of permits issued and a register of licences received. These should be periodically examined and compared, and from them the District Magistrate will be able to satisfy himself at any time that the trade is being kept within due bounds. (Resn. No. 4508, dated the 4th July 1898).

17. (1) Cases have occurred in which **officers have sent rifles and rifle ammunition to be put for public auction** and have allowed them to be so disposed of to persons not entitled to possess them. Severe notice will be taken of any such culpable negligence on the part of officers. They are warned of the consequences of disposing of arms and ammunition to any person in this country without making sure that such person is lawfully entitled to purchase or possess the same.

(2) A case came to the notice of Government in which a commanding officer presented to his servant, an un-licensed person, a carbine in contravention of section 22 of the Arms Act and para. 482 of the Army Regulations, 1908, Vol. II. In calling attention of all Civil and Military officers to the case in question the Governor in Council trusts that such breaches of the law will not occur again. (Resn. No. 3069, dated the 2nd May 1909) and Cir. No. 4773, dated the 19th Aug. 1910).



18. All officers of Government whose duty it may be to conduct sales of arms should satisfy themselves before the confirmation of the sales, by a reference to the District Magistrates, that the purchasers are entitled to possess such arms, and auctioneers should be warned against selling arms and ammunition to persons not legally entitled to possess them. The duties of licensed vendors and private individuals in this respect are laid down in section 5 of the Indian Arms Act, 1878, and the attention of all heads of offices is drawn to the provisions of the law. (Circ No. 2823, dated the 2nd May 1901).

19. Railway companies cannot be permitted to sell arms and ammunition under any circumstances. Section 28 of the Arms Act requires them in certain cases to give information to the Police. When any arms or ammunition are left in a railway carriage the Company may properly keep them for a reasonable time, to enable them to be claimed, but section 22 of the Act makes the Company legally responsible for delivering them to any person without previously ascertaining that such person is legally authorised to possess them. Unclaimed arms and ammunition should be made over to the police with a view to the orders of the Magistrate being taken under section 523 of the Crim Pro Code. Government can not under any circumstances admit their liability to the Company for any costs incurred in connection with such property. The sale proceeds of such arms and ammunition should be made over to the Railway Administration concerned, after deducting the cost, if any, in selling the articles. (Resn. No. 6314, dated the 3rd Nov 1886 and No. 5158, dated the 7th Sep, 1911). See also Notes (8) and (10) to sec 5 of the Act on page 48.

20. The Customs authorities at Madras, Bombay, Calcutta and Rangoon should examine carefully all consignments from Hongkong and communicate at once with the Commissioner of Police, in the event of any arms or ammunition being discovered. If the case appears to the Commissioner of Police not to be one connected with the trade above referred to, and not to be of a serious nature, the existing procedure should be followed, viz, notice should be issued by the Collector of Customs to the consignee to show cause why the consignment should not be confiscated, but the Commissioner of Police should also communicate with the Police of the district of the addressee. The final action of the Collector of Customs should be determined in communication with the Commissioner of Police. If, however, the case appears to the Commissioner of Police to be connected with the trade or to be of a serious nature the goods should be allowed to reach their destination without any warning being given to the consignee or his agent, information being sent at the same time to the local Police of the district of the addressee so as to give them the opportunity of prosecuting under the Arms Act. In this way it should be possible to bring home the offence to the consignee, if he has contravened the provisions of that Act and the Rules made under it. The conduct of cases in which an offence appears to have been committed in India should be undertaken by the Police (Resn. No 7573 dated the 6th Nov 1900)

21. Suitable arrangements should be made by the District Magistrates for the **marking and numbering** of all licensed **guns** which do not bear the mark, name and legibly stamped number thereon. The cost of the necessary tools should be met by a re-appropriation of funds—the previous sanction of Government being applied in each case. The Registers at present mentioned for licensed guns should be in the prescribed standard forms. (Bombay No. 3231 dated the 20 May 1901).

**Note**—Police officers should make it a duty to see that the **conditions** printed on back of all licences, they are empowered to examine, are observed by the licence holder. (Bombay No 5952 dated the 31st August, 1900).

22. Exemption of overseer or village postman,—*Vide* Note (7) to section 1 of the Act, on page 40 *ante*.

23. It is notified, for the information of the officers concerned, that the annual publication of the revised **list of persons exempted** under [present] clause (2) (a) and (6) (b) from the operation of certain sections of the Act will be discontinued. These lists will, in future, be published quinquennially, but in the interval such additions to, or erasures in, the existing list as may be recommended specially, will, if approved, be separately notified. (Bombay No. 8805 dated the 4th Dec. 1899.)

24. All **recommendations for exemptions** under the Arms Act and all proposals for any alterations rendered necessary by deaths, misconduct or other causes in the list of persons exempted from the operation of the Act should in future be submitted so as to reach Government by the end of June in each year. The recommendations should be collected in the Commissioner's offices, and divisional reports with the Commissioner's recommendation submitted by the date fixed. (Bombay No. 4936 dated the 17th July 1900 and No. 1142 dated the 18th Feb. 1901).

25. Soldiers of the **Imperial Service Troops**, proceeding on furlough are not exempt from the operation of the Arms Act, but in the case of pensioned non-commissioned officers of the troops the Government of India desire that the executive orders already issued in favour of their exemption should continue to apply to those who have already taken their pension or who may hereafter do so. (Bombay No. 3971 dated the 14th July 1909).

26. Persons who may be in **illicit possession** of arms and ammunition which are the **property of Government** should be prosecuted under the provisions of the Arms Act.

(a) To prove that such arms and ammunition are the property of the State all Government arms and small arms and machine gun ammunition whether manufactured in England or in India will be stamped with a recognisable Government mark. Similarly Government arms which have been sold or given away will be suitably marked so as to show that they have ceased to be the property of Government. (Bombay No. 4723 dated the 1st July 1896.)

(b) On the method of showing the marks on Government small arms and machine gun ammunition, see Resn. No. 5110 dated the 6th Aug. 1909. (*Vide* also Note (3) to Rule 33, page 107 *ante*).

27 Giffard carbonic acid guns. *Vide* Note (56) to section 4 of the Act, page 46 *ante*.

28 Amorces *Vide* Note (57) to section 4 of the Act, page 46, *ante*

29 With reference to clause 2 (d) of Schedule I, it has been ruled that Police escorts of marriage parties of a Native State are not to be considered as "travelling on duty" in British Territory. (Bombay No. 6253 dated the 2nd Sept. 1896).

30 In cases where armed travellers from the Hyderabad State are proceeding direct, either to Bombay or to some station on the external frontier of India, a licence granted by the Resident at Hyderabad shall cover the entire journey to the point of departure from British territory

31. With regard to present clause (2) (c) of Schedule I, the number of retainers exempted has been fixed for Rewa Kantha. (Bombay No 261, dated the 12th Jan 1893) The Political Agent proposes to fix the retinues for whom exemption may be granted. His scale is reasonable and may be sanctioned, but it appears to Government that in each case a written permission should be accorded, since otherwise British officers who have to enforce the Arms Act in British territory will not know whether the persons claiming the exemption are entitled to it

List showing the names of Ruling Chiefs in the Rewa Kantha Agency

No	States and Talukas	Name of Chief	Number of retainers	REMARKS
1	Rajpipla	"	20	
2	Chhota Udepur	"	10	
3	Devgad Bariya	"	10	
4	Lunavada	"	10	
5	Balasimor	"	10	
6	Sunth	"	10	
7	Kadana	"	5	
8	Sanjeli	"	5	
9	Bhadarva	"	5	
10	Umetba	"	4	
11	Mandva	"	4	
12	Sihora	"	4	
13	Chhahar	"	2	
14	Uchad	"	2	
15	Nasvadi	"	2	
16	Sanor	"	2	
17	Vipur Vasan	"	2	

32 Officials of Native States in the Rewa Kantha and Mahi Kantha Agencies passing through British India on duty are exempt from the ordinary prohibitions under the Arms Act, but some indication of their office and of the fact that they are passing through British territory on duty is necessary in order that the British officials may be able to give them the benefit of the exemption. This may be provided by a certificate to be furnished by the Darbars to the officials in question. But a proper check must be maintained by Political Agents upon the issue of such certificates.

With this view they should be written on Government standard forms, copies of which should be supplied by the Political Agent to the Darbars as may be necessary. The Darbars should send copies of all certificates as soon as issued to the respective Political Agents, and include in one and the same certificate all the officials who may be travelling together on the same duty. (Bombay No. 1447 dated the 2nd March 1895.)

NOTE.—(1) The above system has been extended to the Palanpur Agency by Resn. No. 1401 dated the 6th March 1907. (2) For exemption of officials of the Native States in the Kolhapur and Southern Maratha Country Agency see Resn. No. 1383 dated the 20th Feb. 1907.

### 33. Rules for the guidance of police officers in regard to licences under the Arms Act :—

(a) Every person to whom a licence to manufacture or sell arms ammunition or military stores has been granted shall keep an account of all stock, and of all sales of arms, ammunition or military stores, in the form (annexed) :—(b) In the Presidency town an Inspector specially appointed for the purpose shall visit and inspect the shop, stock and accounts of every licensed manufacturer or vendor, and compare carefully the accounts with the stock in hand, at least once every month. He should report the result of every inspection to the Commissioner of Police, and will be held responsible for bringing to notice every breach of law or rule, and every irregularity which may occur. (c) In other places Inspectors of Police shall visit and inspect the shop, stock and accounts of every licensed manufacturer or vendor within their respective charges, and compare carefully the accounts with the stock in hand at least once every six months. The results of such inspections shall be at once reported to the District Magistrates through the Superintendent of Police, and the Inspectors will be held responsible for bringing to notice every breach of law, or rule or irregularity which may occur.—(d) Every Magistrate in revenue charge of talukas, and every Superintendent of Police or Assistant Superintendent of Police shall visit and inspect the shop, stock and accounts of every licensed manufacturer or vendor within their respective charges at least, once a year, and report the result to the District Magistrate.—(e) The date of every inspection above prescribed shall be noted in the account-book of the licensed manufacturer or vendor, and authenticated with the signature of the officer making the inspections.

(2) Police Patels are hereby empowered under section 13 of the Act to disarm a person going armed without a licence, but the arm of which a person is dispossessed should be forthwith sent with a report to the nearest Police station. (*Vide* also Note (1) to section 13 of the Act, page 51).

(3) and (4)—Power to confiscate.—Included as Note (3) to section 24 of the Act, page 74.

(5) Rewards.—Included as Note (2) to section 28 of the Act, page 79.

(6) (a) **Registers** of licences of all kinds granted by the Commissioner of Police, Bombay, the District Magistrates and other officers empowered to grant licences shall be kept by those officers,—(b) All licenses to go armed or to possess arms and ammunition should be sent to the parties for whom they are intended through the Chief Constables, who should keep in their offices accurate registers of all the licenses granted to persons within their respective charges.

(7) Superintendents of Police must pay particular attention to the important duties under the Arms Act assigned to them by Government, and always report in their diaries their **visits and inspections of the shops, etc.,** of every licensed manufacturer, etc.

(8) Persons punishable under section 19 (f) are not to be arrested by the Police without previous sanction of the District Magistrate

(9) 32. Repairing of arms—Included as note (6) to section 5, page 47

(10) When persons lawfully entitled to possess arms, etc., under Schedule I, send orders on licensed dealers at a distance for arms, or ammunition, the transport to them of reasonable quantities for their own use by such licensed dealers is covered by the permission provided for in the rules issued under the Arms Act on the ground that the licensed dealers may, for the purposes of such transport, be regarded as the agents of the purchasers and, therefore, no licence for such transport is required. At the same time it is proper that the immunity from licence of the arms and ammunition so transported should be certified by a responsible officer, and the Governor in Council therefore approves of the practice of the Commissioner of Police, in issuing for the purpose certificates without fee certifying that the arms and ammunition were for the use of a person duly entitled to possess and transport them. It will be noticed that this rule deals with transport only, and that where export to foreign territory as to Hyderabad, or transport and export as from Poona across Kolhapur to Ratnagiri are involved, the licence of the Secretary to the Government, Political Department, required by the rules is needed.

(11) But the following procedure should be observed.—

In cases to which section 29 of the Act does not apply, a search in respect of an offence under section 19 (f) may be made by warrant as established by the case at Indian Law Reports, 8 C 473.—[Tegha Singh—Vide Note (64) on page 69] But when section 29 of the Act does apply, as no proceeding can be instituted outside the Presidency towns without the previous sanction of the Magistrate of the District, it seems evident that no arrest can be made prior to such sanction being given. For section 30 of the Act contemplates searches as being made in the course of proceedings instituted, and it can hardly be supposed that this provision was intended only to apply to

action, even by the Police, in the course of w. —

34. *Press Note published by the Govt of Bombay—No 9268 dated the 3rd November 1919.* In March last the Government of India announced the changes which will be introduced in the working of the Arms Act from the 1st January 1920. The general effect of that announcement is that, subject to some exceptions limited to particular areas, details of which will be announced later, all arms in the Bombay Presidency (other than firearms) and also firearms of an obsolete character possessing a purely antiquarian value will be exempted from all prohibitions and directions contained in the Act

All existing exemptions in regard to the possession and bearing of firearms other than those of obsolete character will be generally withdrawn from the same date. The following persons or classes of persons in the Bombay Presidency will, however, continue to enjoy their present privilege subject to the same restrictions in respect of the number and description of weapons as at present and to the further condition that they may be required to register the firearms possessed by them,—

(1) His Excellency the Governor, Members of the Executive Council of the Governor, the Chief Justice and Puisne Judges of the High Court, the Commissioner in Sind and the Judicial Commissioner and the Additional Judicial Commissioner of Sind. (2) (a) Every Ruling Prince or Chief. (b) Such members of the families of Ruling Princes or Chiefs and such nobles, officials, or accredited agents of a State in India as may be designated by the Local Government or Political Officer concerned, on the occasion of his or their entering, passing through, or residing in British India with his or their retinues to such numbers as may in each case be agreed to, by the Political Officer concerned, under the special or general orders of—(i) The Government of India, (ii) The local Governments in respect of Ruling Princes or Chiefs whose political relations are with those Governments, respectively. (3) Every Maharaja, Raja or Nawab whose title has been conferred or recognised by Government and every Peer, Baronet, Knight Bachelor and Knight of any Order established by the Crown. (4) Every Consul and Consular Agent. (5) The First Class Sardars of the Deccan and Southern Maratha Country State, the First Class Sardars of Gujrat, and such number of their retainers as the Government of Bombay may designate. (6) Such members of the Talpur family and Jaghirdars and Zamindars in Sind as the Government of Bombay may designate. (7) Every officer holding a commission from His Majesty the King-Emperor (whether in Staff, Departmental or Regimental employ) or of the Indian Land Forces, every person who has been registered under the Registration Ordinance of 1917, and every warrant officer or Staff Sergeant of a British Unit of the Army (including Staff Sergeant or warrant officer who is an instructor of an Indian Defence Force Corps). Exemption to these classes of persons is, however, limited to a single barrel rifle of '303 bore required for match shooting purposes and is subject to certain further restrictions.

(3) It was also announced by the Government of India that to persons of **approved character and status** licence for the possession of rifles (other than those of prohibited bores) and smooth bores would ordinarily be issued on application and without previous enquiry, and that the Local Governments would prescribe for each province the qualifications entitling any person to this privilege. The Government of Bombay have now approved of the following list of persons or classes of persons who will enjoy the privilege:

1. Members of any Order established by the Crown, and possessor of a title conferred or recognised by the Government of India or of the Kaiser-i Hind Medal or the King's Police Medal or a certificate of honour.
2. Members, past or present, of the Indian or a Provincial Legislative Council, and persons included in the list of Provincial Darbaris.
3. Second and third class Sardars of the Deccan, Second Class Sardars of Gujrat, Mehwasi Chiefs of Khandesh, and Members of the Talpur family in Sind, who do not enjoy the privilege of exemption.
4. Members of a Municipal Board or Committee.
5. Persons exempted from personal appearance in Civil Courts.
6. The holder for the time being of the office of Diwan of Idar in the Mahi Kantha Agency, or of Private Secretary to His Highness the Maharaja of Idar.
7. Every duly accredited Vakil or Agent of any Native State in India.
8. All Magistrates including Honorary Magistrates.
9. Justices of the Peace.
10. Commissioned or Gazetted Officers of His Majesty's Military or Naval Forces or His Majesty's Imperial Military Service or of the Indian Defence Force, Commissioned Indian Officers of the Imperial Service Troops in active service, Members of the Imperial Cadet Corps and warrant or non-commissioned officers in the service of His Majesty.
11. Government officers in receipt of more than Rs. 100 per month.
12. Pensioned officers of Government who before retirement were by virtue of their official position included in any of the classes described in 10 or 11 above.
13. Persons paying not less than Rs. 250 per annum as land-revenue or in road and public works cesses.
14. Persons paying income-tax on an income of not less than Rs. 3,000 for a period of three years.

(4) Licences for **revolvers and pistols** will be issued only in cases of real necessity and to persons of approved character.

(5) Licences in form XV, *i. e.*, for **mere possession**, will be issued free of all fee. Licence in form XVI, *i. e.*, for possession and

going armed, will be issued on payment of a fee of Rs. 10 for each revolver or pistol, Rs. 5 for every other breech-loading weapon and 8 annas for each muzzle-loader payable annually.

(6) Licencee will be granted, if so desired, for an extended period of three years on a compounded fee subject to the existing conditions regarding the report of loss and transfer of the weapon and subject further to the proviso that the local authorities shall have the right to enquire whether the weapon for which a licence has been granted is still in possession of the licence holder. The compounded fee for three years will be three times the fee for one year.

(7) Licence other than those for the protection of crops or cattle issued in the Bombay Presidency will be valid throughout British India, except Burma, Assam and the North-West Frontier Province, subject to any restrictions that may be imposed by the Local Government in regard to any particular Province.

(8) Application for licences should be made in the City of Bombay to the Commissioner of Police and elsewhere to the District Magistrate of the district in which the applicant resides.

(9) Arms, ammunition and military stores, the possession of which becomes unlawful from the 1st January 1920 and which are not covered by a licence should, in accordance with section 16 of the Arms Act as amended by the Indian Arms (Amendment) Act (XX of 1919), be deposited at the nearest police station or, at the option of the possessor and subject to any conditions which may hereafter be prescribed by the Government of Bombay, with a licensed dealer.

(10) The penalty for the possession, without a licence, of arms, ammunition or military stores for which a licence is required is imprisonment for a term which may extend to three years or fine or both.

*Accompaniment to Govt. Resn. (Judl Dept.) No. 8763, dated the 15th Oct 1919,*  
 licences for the possession and bearing  
 smooth bores will ordinarily be

the Crown, and possessors of a  
 or of the Kaiser-i-Hind Medal  
 2. Members, past or present,  
 1 persons included in the list  
 ardars of the Deccan, second  
 and Members of the Talpur  
 "Mir" in virtue of the orders  
 uary 1896, who do not enjoy  
 apal Board or Committee. 5.  
 il Courts (G. R., J. D., No.  
 e time being of the office of  
 vate Secretary to His Highness  
 il or agent of any Native State  
 "Magistrates. 9. Justices of the  
 Majesty's Military or Naval  
 of the Indian Defence Force,  
 vice troops in active service,  
 on commissioned officer in the  
 receipt of more than Rs. 100  
 including officers subordinate to

the Criminal Investigation Department, Forest, Postal, Telegraph, Salt, Excise and Agricultural Departments as are authorised by the Head of the Department to require persons in the execution of their duties. 14. Persons who before retirement were by virtue of their official position included in any of the classes described in 10 or 11 above. 15. Persons paying net less than Rs. 50 per annum as land revenue, or in road and public work cesses. 16. Members of the District and Taluka Local Boards. (G. O. No. 1320, dated the 10th Sep. 1920). 17. Inamdars who own a share worth not less Rs. 25 in inam land assessed at not less than Rs. 250 per annum. (G. O., J. D., No. 6673, dated the 19th July 1920).

35. Registration of firearms by exempted persons.—*Vide* Note (7), Schedule I, page 128 *ante*.

36. Maharao pratab sinharao alias Bhausaheb Bhonale of Satara, *Vide* Note (8) and (10) under Schedule I, page 129 and 130, *ante*.

37. Arms, etc. excluded.—*Vide* Note (3) to Schedule II, pages 144-146, *ante*.

38. Rules under section 16 of the Act.—*Vide* section 16 of the Act, page 56, *ante*.

39. Under condition 9 of licence Form XVI the Commissioner of Police, Bombay, and all District Magistrates in the Bombay Presidency are empowered to cancel condition 8 of the said conditions in all licences granted in the said Form to any number of the Auxiliary Force, India, or of the Indian Territorial Force. (Bombay No. 9794, dated the 18th Oct. 1920).

40. All fees payable under rule [46 or 47] shall be paid either by means of impressed stamps or in cash. (Bombay No. 2548, dated the 9th March 1921).

41. Rules regulating the procedure to be followed when arms are brought by travellers into British India for their own private use.

The Collector of Customs will, under section 6 of the Indian Arms Act, 1878 (XI of 1878), detain all firearms not covered by licences produced by the owner. He may likewise, if there are reasonable grounds for suspicion under the same section, detain firearms ostensibly possessed under proper authority. 2. When arms are detained under Rule 1, he will give a receipt to the owner describing the particulars of the weapon; when under Rule 2, he will report the facts to Government for orders under section 6 of the Act. 3. When the owner in the former cases will apply for a possession licence from the Commissioner of Police, Bombay, or the District Magistrate, Karachi, if he is going to reside in the city of Bombay or in the district of Karachi. If he is going to reside elsewhere he will apply to the Commissioner of Police, Bombay, or the District Magistrate, Karachi, for a journey to his place of residence. 4. The licensing authority will then dispose of the application inspecting the weapon, if it wishes to, at the Customs office. 5. The owner will present it at the Customs office, and take receipt of his weapon. 6. On the owner cannot spare the time to get a journey licence from the Commissioner of Police, Bombay, or the District Magistrate, Karachi, he will after reaching his destination apply to the local District Magistrate, for a possession licence for the weapon, filing his Customs receipt. On receipt of the licence he will forward it to a licensed dealer or forward it by registered post to the agent recognised by the Customs Collector in Bombay to take delivery of the weapon, from the Customs Office, and to forward it to him at his expense. The Customs authorities shall deliver up the weapon to the dealer or agent on production of the owner's licence and the letter of authority. [Note—*Vide* Rule 34, of the Indian Arms Rules, 1924, page 112]. (Bombay No. 595, Poll. dated the 24th June 1921).

42. In future a uniform system of issuing arms licences in Form XVI for a period of twelve months from the date of issue should be introduced in all places in the Presidency including Sind. (Bombay No. 802, Poll. dated the 21st July 1921).



43. Licensing officer should be informed that a machine for loading empty cartridge cases is "ammunition" within the meaning of section 4 of the Indian Arms Act, 1878. Possession of such a machine therefore, requires a licence or a special mention of it in a licence to possess arms. (*Bombay No 898 Poll dated the 1st August 1921*).

44. The District Magistrate of Ahmedabad should be informed that the "manufacture" of cartridges for their own use by holders of licences to possess and carry arms does not require a separate licence to manufacture. The materials used for making the cartridges and also instruments to make them are "ammunition" within the meaning of section 4 of the Arms Act, and are, therefore, required to be shown in the licence to possess (*Vide also Resn No 898 Poll, dated the 1st August 1921, above*) (*Bombay No. 1025, Poll, dated the 22nd August 1921*).

45. The Commissioner in Sind should be informed that exemption granted under Schedule I of the Indian Arms Rules, 1920, as restricted by any orders issued by the local Government in exercise of the powers vested in it are not cumulative and that, in any individual case, exemption should be limited to the maximum quantity of arms and ammunition to which an exemptee is entitled under any single entry in the Schedule (*Bombay No 1060, Poll, dated the 27th August 1921*).

46. In supersession of the orders contained in Government Order No. 1096 A, Poll., dated the 1st Sept 1921, the Governor in Council is pleased to direct that holders of licences for rifles other than rifles of '22 bore, revolvers or pistols in Forms XVI, XVIII, or XIX appended to the Indian Arms Rules, 1924, shall not possess at any time ammunition in excess of the maxima shown below.

Rifles other than rifles of '22 above	100 cartridges for each weapon
Pistols or revolvers	50 ditto

(*Bombay No 2543, Poll, dated the 2nd December 1924*)

47. Under condition 7 of the conditions attached to Licence Forms IX, X, XI and XII appended to the Indian Arms Rules, 1924, the Government of Bombay directs that the licensees shall give information of all firearms and ammunition for shot guns, rifles, pistols and revolvers sold by them to licensed or exempted persons within a week after the sale in the form subjoined below, to the District Magistrate of the district in which the purchasers reside, or to the Comr of Police, Bombay, Calcutta, Madras or Rangoon if the purchasers reside in Bombay, Calcutta, Madras or Rangoon —

FORM — Report of sales of arms and ammunition

Date of sale 1	Name and address of purchaser 2	Number and full description of firearms sold (including bore) 3	Quantity and full description* of ammunition sold (including bore) 4
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\* (NOTE — No 2263 dated the 11 Oct. 1927)

# 370 LOCAL RULES AND ORDERS [CENTRAL PROVINCES AND BERAR.]

In exercise of the powers conferred on the Local Government, by condition 2 of the conditions attached to licences in Forms IX, X, XI and XII and condition 3 of those in form XIII in Schedule VIII, appended to the Indian Arms Rules, 1924, the Governor in Council is pleased to direct that the licensees shall maintain registers of all arms, ammunition and military stores in stock, and of all sales, in the form appended hereto.

## SALE STOCK BOOK

SECTION 17-C. OF ACT, XI OF 1878 AND CONDITION 2 IN FORMS IX, X, XI AND XII  
AND CONDITION 3 OF FORM XIII IN SCHEDULE VIII, APPENDED  
TO THE INDIAN ARMS RULES, 1924

Register of Arms, Ammunition and Military Stores } Sold  
Imported, Manufactured, Converted and Purchased.

Date.		How obtained, whether imported direct, manufactured, converted or purchased locally.		NAME OF PURCHASER.—IF AN INDIAN, FATHER'S NAME		RESIDENCE OF PURCHASER.		FIRE-ARMS.										MILITARY STORES.		AMMUNITION.										Arms, Ammunition or Military Stores other than those mentioned in the preceding columns.		REMARKS.																																																																			
If purchased locally from whom.		Number and date of licence.		D. 1 Breech-loading.		S. 1 Muzzle-loading.		D. 1 Breech-loading.		S. 1 Muzzle-loading.		Combined rifle and shot gun.		Pistols.		Revolvers.		Air-guns and rifles.		Swords.		Sword-sticks.		Fuzes.		Anvils.		T.						Cwt.		Qr.		Lb.		Empty.		Loaded.		Breech-loading.		Muzzle-loading.		T.		Cwt.		Qr.		Lb.		T.		Cwt.		Qr.		Lb.																																					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

(Bombay Notn. No. 1237, Poll., dated the 20th July 1925.)

## [LOCAL RULES AND ORDERS—CENTRAL PROVINCES AND BERAR.]

### 1. Powers under the Indian Arms Act.—

(a) *Vide* Note (7) to section 6 of the Act, page 49, *ante*.

(b) " " (1) " " 13 " " " 51, "

(c) " " (2) " " 25 " " " 78, "

(d) " " (3) " " 30 " " " 82. "

### 2. Rules under section 16 of the Act are reproduced on page 58, *ante*.

### 3. *Vide* Notes to section 6, 13, 25, and 30 of the Act, page 49, 51, 78 and 82.

### 4. Berar Rules under s. 16 of the Act are similar to the C. P. Rules.—*Vide* p. 60.

### 5. Arms, ammunition of exemptees,—*Vide* Note (33) to Schedule I, pages 138 to 140, *ante*.

### 6. Arms and ammunition of exempted zamindars,—*Vide* Note (34) to Schedule I. pages 138-39, *ante*.

### 7. Swords, sword-sticks and daggers,—*Vide* Note (21) to Schedule II, page 148, *ante*.

### 8. Bayonets,—*Vide* Note (22) to Schedule II, page 149, *ante*.

### 9. Sulphur " " (23) to " " 149, "

### 10. Firearms of exemptees,—*Vide* as Note (33) to Sch. I, p. 138 *ante*.

11. Under rule 28 (4) of the Indian Arms Rules, 1924, Sub-Inspectors of Police are authorised—(a) to enter and inspect any premises in which arms, ammunition or military stores are manufactured, converted, sold or kept for sale, and (b) examine the stock and accounts of receipts and sales of arms, ammunition or military stores. (Notn No. 481-A. 504.-VI, dated the 10th Sep 1924)

12 Under condition 10 of the licence Form XVI, of Schedule VIII of the Indian Arms Rules, 1924, the licences in Form XVI granted under rule 33 for the possession of arms and ammunition and for going armed for the purposes of sport, protection or display, shall be subject to the observance of the close seasons in respect of the game birds and animals set forth below —

Name	Close time
1 Sand grouse	1st February to 30th June
2 Painted partridge	
3 Grey partridge	
4 Pea hen	
5 Jungle hen	1st April to 31st October
6 Spur fowl	
7 Bush quail	
8 Comb duck	
9 Spotted billed duck	1st May to 30th November
10 Painted snipe	
11 Rain quail	
12 Bustard quail	
13 Bustard	1st May to 30th November
14 Lik florikan	
15 Cotton teal	
16 Whistling teal	
17 Herons	Whole year.
18 Egrets	
19 Kingfishers	
20 Rollers	
<i>Deer and Antelope other than Nilgai</i>	
1 Does, hinds and fawns	Whole year.
2 Immature stags and bucks	
3 Hornless stags	
4 Stags with horns in velvet	
<i>Bison and Buffalo</i>	
1 Cows and calves	

Police Dept Notn No 463 506 dated 11th Sept 1924 is hereby cancelled (C P, C S No 4 dated 27th January, 1926)

2 The above close time will not apply—

(a) in the Jubbulpur, Saugor and Damoh districts so far as it relates to does of black buck until further orders, (b) in respect of *barasinga* hinds in the Banjar Reserve of the Mandla district for such periods in favour of such persons and in respect of such number of animals as the Commissioner of the Division in consultation with the Conservator of Forests may decide (Notn No 97 dated the 26th Feb 1914)

3 Until further notice throughout the Chanda district and throughout the Baloda Bazar tahsil of the Raipur district, close time for wild buffaloes will be observed for the whole year. Judl. Dept Notn No 386 dated the 25th Feb 1914, is hereby cancelled (Notn No 78 dated the 2nd Feb 1915)

13 Under rule 36 of the Indian Arms Rules, 1924, all Sub-Divisional Magistrates are empowered to grant licences in Form

XIX in accordance with the provisions of the said rule. Notn. No. 491-A-VI, dated the 2nd April, 1921, is hereby cancelled. (Notn. No. 433-465-VI-dated the 21st Aug. 1924).

14. Under sub-rule (3) of rule 42 of the Indian Arms Rules, 1924, **Commissioners** are empowered to renew licences in Forms XI and XII in the case of those licensees who reside or carry on business in their division. Notn. No. 109-68-VI, dated the 22nd Feb. 1922, is hereby cancelled. (Notn. No. 435-465-VI dated the 21st Aug. 1924).

15. Under sub-rule (4) of rule 46 of the Indian Arms Rules, 1924, the **amount of fee** of Rs. 5 and Rs. 10 is reduced to one anna only, payable in respect of the grant or renewal of a licence in Forms III and VII under rules 10 (1) and 24, respectively, of the said rules for the import and transport of sulphur in reasonable quantities required in good faith for medicinal, agricultural, manufacturing or industrial purposes other than the manufacture of ammunition. Notn. No. 153-2-D-V. dated the 23rd April 1920. is hereby cancelled. (Notn. No. 437-465-VI, dated the 21st Aug. 1924).

16. Under entry 7 of Schedule VII of the Indian Arms Rules, 1924, the following Government servants are permitted to possess arms for the adequate discharge of their duty, to the extent specified below :—

Designation of officer.	No. of arms.	Quantity of ammunition that can be possessed at one time.
(a) Police officers of and above rank of Sub-Inspectors selected by the Inspector-General of Police.	One revolver ...	100 rounds.
(b) Rangers and Deputy Rangers.	One shot gun ...	No limit.
(c) Veterinary adviser to Govt.	One revolver ...	100 rounds.

(Notification No. 477-492-VI, dated the 5th Sept. 1924).

(c) NOTIFICATIONS UNDER THE BERAR ARMS RULES 1924.

17. Arms and ammunition of exemptees,—*Vide* Note (33) to Schedule I, page 138, *ante*.

The Melghat Rajas in Berar are allowed three rifles D. B. or S. B., two shot guns, two revolvers or pistols, two hundred rounds of ammunition per rifle and one hundred rounds per revolver,—and the number of retainers allowed are two each.—(C. S. No. 2 dated the 6 Novr. 1925).

18. Swords, sword-sticks and daggers,—*Vide* Note (21) to Schedule II, page 149.

19. Bayonets,—*Vide* Note (22) to Schedule II, page 149 *ante*.

20. Sulphur,—*Vide* Note (23) to Schedule II, page 149 *ante*.

21. Registration of arms,—*Vide* Note (33) to Schedule I, page 140 *ante*.

22. Inspections of premises of dealers,—*Vide* Rule 11, page 370 *ante*.

23. Close season for game birds and animals,—*Vide* the list appended to C. P. Rule 12, on page 371 *ante*. with the following modifications in the notes thereunder,

(3) The above close time will not apply—(a) until further orders throughout Berar so far as it relates to *does* of black buck—(b) in respect of Chital hinds in the following areas of Berar for such period, in favour of such persons and in respect of such number of animals as the Commissioner in consultation with the Conservator of Forest, may decide —

- (1) Bhoogaon Reserve, in the Buldaoa district
- (2) Tipeshwar Reserve, in the Yeotmal district
- (3) Tiwra, „ „ „ „
- (4) Gondwakri „ „ „ „
- (5) Pathrot „ „ „ „

Police Dept Notn No 263 327-VI, dated the 29th May 1924 is hereby cancelled (Note No 98 dated the 26th Feb 1914)

24 Licences in Berar Form XIV,—*Vide* C P Rule 13, reproduced on page 371 *ante*

25 Licences in Berar Forms VII and VIII,—*Vide* C P Rule 14 page 372 and Note (3) to rule 42 of page 118, *ante*

26 Fees in regard to sulphur,—*Vide* C P Rule 15, on page 372 *ante*

27 Exemption of Government servants,—*Vide* C P Rule 16 on page 372, *ante*

#### RULES AND ORDERS REGARDING THE ADMINISTRATION OF THE INDIAN ARMS ACT —

[NOTE—Wherever the words 'Act,' 'Arms Act' or 'The Indian Arms Act' occur they may be read as 'The Indian Arms Act as applied to Berar' so far as 'they are shown by the context to relate to Berar']

#### *General*

1. The object of the Indian Arms Act is to secure the public tranquillity and the Act is based on the principle of a general prohibition to possess and carry arms or ammunition, except under a licence or by exemption granted in accordance with the provisions of the Act and the Schedules to the Arms Act Rules (ii) The system of administration of the Arms Act was reviewed by the Indian Arms Rules Committee in 1923, (*vide* their report on pages 7 to 23, *ante*) All officers responsible for the working of the Act should make themselves familiar with the orders passed by the Government of India on the report of that Committee (reproduced on pages 25-30 *ante*)

2 As regards the relative effect of the Arms Act and the Explosives Act, it is to be noted that a licence under the Arms Act will not cover the manufacture, sale or possession of explosives for which the Explosives Act also requires a licence to be taken out. The Explosives Act is intended to provide for public safety by protecting the public against the dangerous nature of explosives, while the object of the Arms Act is to provide for public tranquillity by restricting the possession of arms and ammunition, so as to prevent them from being in the hands of persons who might make a bad use of them. But in order to avoid the inconveniences which might arise from a person being required to take out licences both under the Explosives Act and under the Arms Act in respect of the same matter, power was taken in the former Act to make a licence under it to operate (in respect of explosives) as a licence under the Arms Act and this has been given effect to by rule 63 of the rules under the Indian Explosives Act. A person wishing to manufacture, sell or possess any kind of explosive (whether one dealt with by the Arms Act or not) must take out a licence under the Explosives

Act, and, if the explosives fall within the provisions of the Arms Act, should ask the authority granting the licence to record an order on it under rule 63. A person wishing to manufacture or sell arms must, of course, take out a licence under the Arms Act, whether he has also a licence under the Explosives Act or not. A person wishing to transport explosives does not require a licence to do so under the rules regarding explosives, except in the case of explosives required *bonafide* for blasting purposes, *vide* rule 27; but if the material to be transported comes within the definition of "ammunition" in the Arms Act, a licence for its transport will be required or not as provided by the Arms Act Rules. Persons holding licences under the Arms Act to carry arms for the purposes of sport, protection or display (Form <sup>XVI</sup><sub>XII</sub>), for the destruction of wild animals which do injury to human beings, crops, or cattle (Forms <sup>XVIII and XIX</sup><sub>XIII and XIV</sub>), and for going armed on a journey in or through any province (Form <sup>XX</sup><sub>XV</sub>), need not also take out a licence under the Explosives Act for gun-powder, etc, possessed in small quantities for private use. An explosive cannot be possessed except under, and in accordance with, the conditions of a licence granted under the explosives rules for possession; but no licence under the explosives rules shall be necessary for the possession by any person who is lawfully entitled under the Indian Arms Act, 1878, or the rules for the time being in force thereunder, to possess any explosive coming under the head of ammunition as defined in that Act, of such explosives in such quantities as may be prescribed by the said Act or rules, or, when no quantities are so prescribed, in reasonable quantities for his own private use.

3. The local Government has, from time to time, under the sections of the Indian Arms Act and the provisions of the <sup>Indian</sup><sub>Berar</sub> Arms Rules noted in the first column of the appended table, empowered the officers named in the second column to exercise the powers shown in the third column, the various notifications by which these powers have been conferred being shown in the fourth column:—

Section	Persons	Powers	Notifications
Section 6 (second clause)	All Magistrates All Police officers not below the rank of Assistant District Superintendent of Police	To detain arms or ammunition being imported or exported	C P Notn No 2595 a, dated the 18th June 1879  *No 8126, dated the 11th Nov 1893  No 481-A-504 VI dated the 10th Sep 1924  No 433/465 VI, 435/465 VI dated the 21st Aug 1924  No 435/465-VI, 436/465 VI dated the 21st Aug 1924
Section 13 (second clause)	All Forest officers not below the rank of Assistant Conservator All Revenue officers not below the rank of Naib Tahsildar	To disarm persons going armed with out a licence or in contravention of the provisions of a licence	
Section 25 (last clause)	All Police officers not below the rank of Sub Inspector *	To search for arms	
Section 30	All Magistrates All Police officers not below the rank of Sub Inspector *	To search for arms	
Rule 28 of the Indian Arms Rules, 1924	All Sub Inspectors of Police	To inspect arms and ammunition of licensed dealers and examine their stock and accounts of receipts and sales	
Rule 36 of the Indian Arms Rules, 1924	All Sub Divisional Magistrates	To grant licences in Form XIX XIV	
Rule 42 (3) (a) of Indian Arms Rules	All Commissioners of Divisions	To renew licences in Forms XI and XII VII & VIII	

Central Provinces Gazette Notification No 1853, dated the 7th August 1916, for Berar

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#### Instructions regarding the grant and renewal of licences

4 The necessity of dealing expeditiously with applications for the grant or renewal of licences should be steadily kept in view. If at any time pressure of work in connection with licence applications becomes abnormal, special measures should be taken to cope with it

5. The granting of licences to keep or carry arms is to be regarded not as a mere matter of registration as if the object was simply to maintain a record of the number and names of persons who possess arms, and the number and quantity of arms and ammunition possessed, although it is highly important that such a record should be as full and accurate as possible, but it is to be regarded as the exercise of an important and wide discretion vested in the District Magistrate of the relaxing in the particular case of the general legal prohibition. It is within the discretion of the District Magistrate to refuse to grant or renew any licence under the Act, or to restrict the area for which a licence is to be valid or to restrict the number or character of arms in respect of which the licence is granted. The District Magistrate is responsible that licences shall in no instance be granted to unfit persons or in such a way as to imperil the public peace and tranquillity. It is essential that District Magistrates should exercise the large discretion vested in them with a due sense of proportion. Where the prescribed authority refuses to grant or renew a licence, the reason for such refusal should be recorded in writing as this will facilitate the disposal of appeals under 43 of the Indian Arms Rules of 1924. It will be noticed that clause (i) (b) of this rule provides for a reference to the local Government and in cases of exceptional importance such a reference may be made to the local Government.

6. In order to ensure a reasonable uniformity in the administration of the law following instructions are given for the guidance of local officers responsible for the working of the Arms Act and the Indian Arms Rules.

In deciding the question of the grant of a licence in Form <sup>XVI</sup>/<sub>XII</sub> to a non-exempted person, the chief points for consideration should be—

(1) the status, character and general fitness of the applicant to have a firearm: (2) the nature of the weapon for which the licence is demanded, and (3) the purpose for which the licence is required.

In the application of the three tests outlined above, if the application is for a muzzle-loading gun, whether for sport, protection or display, respectable persons should be granted the licence as a matter of course and no enquiry should be necessary into the purpose for which the licence is demanded. If the application is for a breech-loading smooth-bore gun, the enquiry may be stricter. A licence for possession would only be given if the gun be inherited and the owner does not wish to sell it. If the applicant indulges in sport and is a respectable man, and the gun is already in his possession, the licence should be granted as a matter of course. But for a new purchase, the District Magistrate should require a stricter examination of the applicant's claim. In the case of an application for a licence for rifles, pistols or revolvers, a very close scrutiny should in all cases be exercised. The character and status of the applicant and his moral fitness to be trusted with dangerous weapon are important factors in deciding an application of this



## LOCAL RULES AND ORDLES [CENTRAL PROVINCES AND BEHAR] 3

nature An application for a licence rifle for protection or disp. merely should in almost all cases be refused, and licences for possession should only be given if the weapon is inherited

In accordance with the instructions conveyed in para 7 of Government of India, H D. Resolution F-829-1 22, dated the 11 Nov 1923, [reproduced on pages 24 30] the local Government pleased to direct that the following qualifications will *prima facie* justify the possession of arms by those who hold the qualification To these classes of persons, licences should ordinarily be granted without enquiry, provided of course that the fact of their possession of the qualification is satisfactorily established —

Membership of any order established by the Crown or the possession of a title conferred or recognised by the Government of India or of the Kaiser ; H Medal or certificate of the Government of India or of the Kaiser ; H Legislature or a Darbaris, (iii) B Military or Naval Indian officer of the rank of Major or above (v) Being a Judge or Magistrate of the first class (vi) Being a person who has hitherto enjoyed the privilege of carrying arms under the Indian Arms Rules 1924 (vii) Payment of Rs 500 land revenue (viii) Payment of Rs 500 Public Works cesses (x) Any payment of income tax and (xi) In the case of a Government servant receipt of a pay of Rs 100 a month and upwards

There is nothing to prevent a District Magistrate from granting a licence without enquiry to any other person, if he thinks fit. Nor does the possession of any of the above mentioned qualifications by an individual debar the District Magistrate from refusing a licence to that individual, if he has good reason for considering him unfit to receive a licence, for instance on account of bad antecedents, actual participation in factions, a general reputation for resorting to violence, etc.

7 In the case of applicants for licences other than those referred to in the preceding paragraph, the District Magistrate shall cause such enquiries as he may consider necessary to be made as to the character and status of the applicant and his fitness to receive a licence and should satisfy himself that the arms are reasonably required for the purposes stated in the application. There is nothing to prevent a District Magistrate from giving a licence without enquiry to any person if he thinks fit.

8 Licensing authorities should invariably conduct their enquiries through Revenue officers. They should see that enquiries by Revenue officers are real and that enquiries through the police are made in exceptional circumstances only. This would however not debar a Revenue official from consulting the police, if necessary, in the course of his enquiry. The enquiry should be directed towards bringing out concrete facts on which to base a decision. Care should be taken to see that enquiries are not of an intrusive or inquisitorial nature.

9 The issue and renewal of licences for pistols and revolve must be kept in the hands of the District Magistrate himself and

should not be delegated to a subordinate. In dealing with applications for licences for pistols and revolvers it must be understood that such licences are not to be given or renewed without adequate reason. For the purpose of legitimate defence, a smooth-bore gun charged with buck shot would be equally, if not more, effective on almost every occasion. Licences for pistols and revolvers should therefore be granted for self-protection in exceptional cases only, and generally licences for such weapons should be issued only in cases of real necessity and to persons of approved character. The condition of "real necessity" may, however, be relaxed in genuine cases where the District Magistrate is of opinion that the refusal of a licence would cause hardship. (India No. 386 dated the 1st March, 1920 and No. 1180, dated the 15th March 1921).

10. As regards the **temporary possession** of arms by ordinary **blacksmiths** or others for purposes of repair, attention is invited to paragraph 2nd of the Government of India, Resolution No. 69-2039-50, dated the 15th December 1881, (reproduced as Note (6) to 5 of the Act on page 45. *ante*).

$\frac{11 \text{ and } 12}{12}$ . Reproduced as Note (14) under Rule 33, page 111.

13. Licences in Form  $\frac{XVI}{XII}$  granted for the possession of arms, ammunition and for going armed for the purposes of sport, protection or display shall be subject to the observance of the close seasons in respect of game-birds and animals as set forth in Police Department Notifications Nos.  $\frac{483-506-VI}{484-506-VI}$ , dated the 11th Sept. 1924 (page 369). *dated the 11th Sept. 1924*

14. Instructions to be observed by the military authorities in respect of the private arms of British Indian ranks.—*Vide* India No. 1998 dated the 11th October, 1920 reproduced as Note (2) under rule 33, Indian Arms rules, 1924, page 107, *ante*.

15. **Crop protection licences** should be issued freely, particularly on applications by, or the recommendation of, landlords who are well acquainted with the local conditions and the extent to which damage is done to crops by wild animals.

16. Form  $\frac{XVIII}{XVIII}$  (for the **destruction of wild animals** which do injury to human beings or cattle), which permits of the shooting of carnivora and pig, is the proper licence for shikaris and professional shikaris should be provided for under this form.

17. As regards the **number of arms** to be licensed to each **individual**, the local Government does not think it advisable to fetter the discretion of District Magistrates by prescribing a fixed scale. The number of arms licensed in respect of any person must be as much in proportion to that person's reasonable needs, as the character of the arms licensed to him.

18. The amount of ammunition which may be possessed by the holders of licences in Forms  $\frac{XVI, XVIII}{XII, XIII}$  and  $\frac{XIX}{XVI}$  of the **Indian Berar Rules, 1924**, is as follows —

Description of arms for which ammunition is to be possessed	Ammunition to be possessed at one time,
Rifle Revolver or pistol Muzzle loading and match lock guns	200 cartridges 100 250 caps 5 lbs gunpowder

No limit of ammunition should be fixed in the case of shot guns of 22 bore or target rifles. The above scales should not be considered as absolute maxima. If any person proves that he needs ammunition in excess of the scale prescribed, he may be allowed a larger quantity.

19. In consequence of the abolition of the district scale of licences restrictions imposed upon the number of licences of all kinds to be granted have been removed—(vide Police Department letter No 313 G-VI, dated the 30th Nov 1921, ) Circumstances 313 F-VI dated the 12th Dec 1921

may, however, arise in which a rapid increase in the number of arms in a particular area may be fraught with danger. District Magistrate should bring such cases to the notice of the local Government, which may limit the number of arms in that area or district, if there is reason to apprehend serious danger from the free grant of licences, and if such restriction is necessary for the maintenance of the public tranquillity. Under section 18 of the Arms Act, 1878, the local Government has power by a notification in the local official Gazette to cancel or suspend all or any licences throughout the whole or any portion of the territories under its administration. District Magistrates will be responsible for making a recommendation to the local Government through the Commissioner of the Division in any case in which such a measure is desirable in the interests of the public tranquillity in any area under their charge.

20. Licences for possession and going armed and for protection of crops or destruction of wild animals should run from the date of issue, other licences being issued for the calendar year. In forest villages crop protection licences should be issued for a period of 9 months or if issued for 2 or 3 years, the words "to be valid for 9 months only expiring with 1st March in each year" should be added.

(2). (i) The Government of India desire that the issue of all-India licences should be as unrestricted as possible. As a general rule, persons to whom licences are ordinarily granted without inquiry under rule 6 above, should be granted an all-India licence if they so desire it. In other cases licences will ordinarily be made valid for the district or the province—(ii) An all-India licence issued in another province will be valid in this province provided it is endorsed by the District Magistrate of the district visited by the holder of the licence—(iii) In the case of crop protection licences however, the area covered by the licence should not be larger than is necessary for the purposes of the licence. In localities where there is a danger of the indiscriminate destruction of protected birds and animals by the holders of arms licences, it may be necessary to restrict the area covered by crop protection licences.

21. It is not necessary that firearms should be produced before licences are renewed, except when they are demanded under the rules. It is open to the District Magistrate, with a view to promoting the destruction of pig, to make the renewal of a licence in Form XVIII or XIX XIII or XIV dependent on the production of wild pig's tusches by the licensee, but this condition should be enforced with discretion and not in such a way as to make it press too heavily on the licensee.

22. In order to ensure that licences renewed in time, the District Magistrate should ascertain immediately after the 1st January of each year what licences have not been presented for renewal. This will not apply to licences in Forms XVI, XVIII XII XIII and XIX XIV which run from the date of issue. In the case of these licences the District Magistrate should ensure that inspection is frequent and thorough, so that instances of failure to renew in time may be promptly brought to notice, and in order that it may be clearly understood that the provisions of the law will be enforced. Prosecution for neglect to apply in time for a renewal should be instituted in suitable cases.

23. A single licence form should be used for all the weapons licensed and not a separate licence for each arm.

24. Joint licences cannot be issued to two or more persons under the law, whose basis is personal licensing, but separate licences should be granted on payment of separate fees.

#### *Exemptions and Prohibitions.*

25. The zamindars of the scheduled districts as a class are exempt to the extent specified in clause 6 (f) of Schedule I of the Indian Arms Rules, 1924, and the number of retainers and arms and the quantities of ammunition to be permitted in each case have been prescribed in notification No. 455-481-VI, dated the 28th Aug. 1924, (page 138-9).

26. It is important to distinguish between arms to which section 1 (b) of the Arms Act applies, and arms which are covered by entry No. 7 of Schedule VII of the Indian III of the Berar Arms Rules, 1924, (*vide* page 138).

(a) In the former class would be—(i) arms forming part of a public officer's sanctioned equipment, *e. g.*, rifles of the military and the police, and revolvers in certain cases,—(ii) arms supplied by Government, since arms so supplied are arms borne or possessed by order of Government, *e. g.*, swords supplied by Government to mail runners and postal peons for self protection and protection of the Government property entrusted to them.

(b) In the latter class are arms which are, in the opinion of the local Government, required to be possessed by certain Government servants for adequately discharging their duty, without fear or

danger to themselves, or risk of loss to Government property, *e.g.*—  
 (i) Selected police officers of and above the rank of Sub-Inspectors  
 are allowed to carry revolvers (ii) Rangers and Deputy Rangers  
 may carry a shot gun (smooth bore) (iii) The Veterinary Adviser to  
 Govt., C. P., is allowed to carry a revolver (Notn. No.  $\frac{477}{478}$ -492-VI,  
 dated the 5th Sep. 1924)

In these cases a licence in respect of the arms will be issued,  
 but no fees will be charged

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it should be registered in the  
 weapons

27. The scale of arms and ammunition for exemptees under  
 entries (3) and (10) of the table appended to Schedule I to the  
 ontry (1)

Indian  
Berar Arms Rules, 1924, has been prescribed in Notification No.  
 429—465 VI  
 430—465-VI, dated the 21st August 1924 (*Vide* Note (33) to Schedule

I, page 138) The scale of arms and ammunition for exemptees under  
 entry 2 of the table appended to schedule I of the Berar Arms Rules,  
 1924, has been prescribed in Notn. No 547-VI dated the 29th Oct. 1925

28 Exemptees should be allowed to retain without licences  
 for their life time the arms already in their possession prior to the  
 introduction of the Indian Arms Rules, 1924, even if they be in  
 excess of the above scale, unless in any particular case strong  
 reasons exist for insisting on a licence being taken out for arms  
 held in excess of the scale Cases of the latter description should  
 be submitted to the local Government for orders

29. Exempted persons intending to purchase firearms in excess  
 of the scale prescribed in paragraph 27 must take out licences for  
 such weapons

30 In the case of replacement of old arms within the pres-  
 cribed scale no fees should be charged either to exemptees or to  
 holders of a licence in Form  $\frac{XVI}{XII}$  specially made valid for the life-  
 time of the licence-holder in respect of arms actually in his possession  
 and exempted under the Indian Arms Rules  $\frac{1920}{1921}$   
Berar

31 Certificates of exemption in Form III appended to these  
 [C P and Berar] rules will be granted under the District Magis-  
 trate's signature to persons exempted from the operation of the  
 prohibitions and directions contained in sections 13, 14 and 15 of the  
 Indian Arms Act, 1878 (XI of 1878) It is not obligatory on exemptees  
 to take out such certificates, but they will enable them to purchase  
 arms or ammunition without difficulty and will afford them facility  
 when proceeding with arms beyond the limits of the province, and

will furnish them with a ready means of proving their identity if their right to carry arms should be challenged by the authorities of another province.

32. *Vide* Note (7) to Rule 3, page 88, and Note (30) to Schedule I, page 137.

33. The following instructions have been issued under Rule 3

(1) (b) of the Indian  
Berar Arms Rules, 1924, for the **registration of the arms of exempted persons** :—(Notn. No. 456-484-VI  
457-484-VI dated the 28th Aug. 1924).

(1) **Exemptees should register the firearms** in their possession in respect of which they enjoy exemption. The registration is compulsory and no fees should be charged therefor. It is necessary to impress on exemptees that they are required to furnish the District Magistrate by the 15th December every year, with information as to the weapons in their possession, failure to do so rendering them liable to the cancellation of their exemption.—(2) An enquiry slip in the Form VII (*Vide* page 140) shall be sent by the District Magistrate to exempted persons on their first arrival in the district or at an early date after the conferment of their exemption as the case may be. In the case of a previously exempted person arriving from another district in this province the District Magistrate of his last district should be asked to forward his form or forms, if he has not already done so. If, however, his previous residence was not in this province, a form for each weapon should be sent to him to fill up.—(3) Should there be any difficulty or doubt as to the adequacy or accuracy of any description, or should any exempted person be unable to fill in the form satisfactorily, an officer of suitable standing should be deputed by previous arrangement with the person concerned to fill in the forms after inspection of the weapons.—(4) The forms should then be grouped in files and classified according to the categories described in Schedule I of the rules. This system will have the advantage that the list of exemptees being liable to periodical changes it will be an easy matter for the District Magistrate to forward the forms for any exempted individual to the District Magistrate of the district to which such person removes.—(5) In addition to the form of enquiry slip a register shall be maintained in the second annexed Form VIII showing the names of exempted persons, the number of weapons possessed by them, the names of retainers and index numbers giving the references to the respective files. This register shall be arranged according to the categories described in Schedule I of the rules, and shall be annually verified by the District Magistrate, or a Sub-divisional Magistrate duly authorised by him. All additions and corrections that may be made from time to time to the list of exemptees prescribed above should be reported to the local Government so that the consolidated list of such exemptees for the whole of the Central Provinces and Berar maintained in the Secretariat may be kept up to date.—(6) Each year about the season of the renewal of gun licences a courteous letter should be addressed to all exempted persons inquiring whether they have any changes to

report, with a request that full particulars of any such changes may be furnished by the 15th December. They should also be asked to inform the District Magistrate if they change their residence, or leave the district permanently—(7) All Heads of Departments should see that all exempted officers serving under them are instructed to furnish the District Magistrate immediately on their arrival in any district with the necessary information regarding the weapons in their possession—(8) Ammunition for exempted weapons need not be registered, but if the District Magistrate considers that ammunition for any such weapon is being imported or stored in unreasonable quantities, he should report the case to the local Government for orders.

34 Sulphur.—*Vide* Note (23) to Schedule II, page 149 *ante*

35 Swords, sword sticks, bayonets.—*Vide* Notes (21) and (22) to Schedule II, page 149, *ante*

The manufacture, sale, import and export of these arms (swords, sword-sticks, daggers and bayonets) will be permitted only under a licence, and a licence will also be necessary for going armed with any of these weapons. No person is liable to prosecution for possessing any of these weapons, so long as he does not sell, export or carry it. Licence Forms III, VI, IX and XVI

II, III, V and XII, should be used for the purpose of granting licences for these weapons. No fee should be charged and no definite number of licences is prescribed, but District Magistrates will grant them at their discretion to approved applicants whose *bonafide* is above suspicion, in such numbers as may in their opinion, be consonant with the maintenance of public tranquillity.

36. The sale of all arms which bear the normal Government mark is prohibited. When persons are found in possession of arms bearing any of the Government marks and not bearing the inverted arrow, the burden of proving that their possession is lawful lies on them. Any persons who may be found to be unauthorizedly in possession of arms and ammunition which are the property of Government should be prosecuted under the provisions of the Indian Arms Act, 1878. Ex-officers desiring to sell arms bearing the normal Government mark should apply to the Government of India in the Army Department giving the following particulars—(a) Source from which weapon was obtained together with date of purchase, and (b) Name, profession and address of intending purchaser, and if a pensioner, full particulars of rank, service, etc. (India No 11-840, dated the 6th May 1896 No F 26-XXVI 24 dated the 15th November 1924, and No 2699 dated the 2nd Dec 1908) (*Vide* also Note (3) to Rule 33, page 107)

#### *Registers, Verification of sales and Inspections*

37 The following registers of licences have been prescribed by the local Government to be kept in the District Magistrate's office—

(i) A register in Form I of licencees in Form IX X, XI and XII  
V VI, VII and VI  
to manufacture, convert, sell or keep and sell arms, ammunition  
military stores.—(ii) A register in Form II

condition attached to licences in Forms IX, X, XI, XII and V, VI, VII referred to in Rule 37 above (Nohn. No 2595 (a), dated the 18th June 1879) The pages of the stock account and sale books in Forms A and B, respectively, shall be numbered consecutively and the first and last page of each book shall be signed by the Deputy Commissioner, or by one of his assistants, and sealed with his office seal. The necessity for writing up these registers regularly, and the penalties attaching to failure to do so, shall be carefully explained to licensed person at the time of their delivery.

40 Under section 22 of the Arms Act licensed dealers in arms and ammunition are bound to ascertain that the persons to whom they sell arms, ammunition or military stores are legally authorized to possess the same. They must satisfy themselves not only that the purchaser is entitled to purchase arms or ammunition or both, but also that he is entitled to purchase the amount he asks for. The production of a licence by a licence holder will be sufficient authority to the licensed vendor to effect a sale of arms and ammunition up to the limit specified in the licence. Where the purchaser claims to be an exempted person, the licensed vendor may require him to produce a certificate of exemption which is issued by the District Magistrate under rule 31. The identity of the purchaser, whether a licence-holder or an exemptee, must of course be satisfactorily established. The above orders equally apply to firms from whom the licensed dealers obtain their supplies.

By condition 7 attached to licences in Form IX, X, XI, XII and V, VI, VII of Schedule VIII of the Rules, the licensee is required to

give information of all sales of arms, ammunition and military stores made by him, and the Governor in Council has appointed the District Magistrate, in the case of sales made by vendors resident in the British districts, and the Political Agent, Raipur, in the case of vendors resident in the Central Provinces, Bundelkhor, States, to be the persons to whom the licensee shall give the said information. The information shall be furnished in the form of an extract from the sale book in Form B. In view of the importance of complete verification of sales of arms and ammunition, the reciprocal arrangements described below have been made by this Government and the authorities of the provinces named below for the verification of particulars of sales made by dealers residing in one of these provinces to purchasers residing in another. The officers named above have been designated as the officers who shall forward to the proper authority particulars of purchases made in the Central Provinces by residents of other provinces and as the officers to whom shall be sent verification slips regarding purchases of arms, etc., made by residents in the areas under their jurisdiction from dealers in the other provinces. In each case on receipt of the prescribed intimation of the sale of arms or ammunition of the kind to which the arrangement applies, the District Magistrate,



*Miscellaneous*

42 The amount of fee has been reduced from Rs 5 and Rs 10 respectively, to one anna only, payable in respect of the grant or renewal of a licence in Forms III and VII under rules 10 (1) and 24 of the Indian Arms Rules, 1924, for the import and 7 and 16 of the Berar transport of the sulphur in reasonable quantities required in good faith for medicinal, agricultural, manufacturing or industrial purposes, other than the manufacture of ammunition (Notn Nos 437/465-VI, tho 21st Aug 1924 dated the 10th July 1924 340/384 VI, dated the 10th July 1924)

43 The local Government has—(a) remitted the fees payable under Schedule II of the Court Fees Act upon applications for the grant or renewal of licences or duplicates under the Indian Arms Rules for the time being in force in Berar respect of which a fee is payable under those rules, and—(b) reduced to one anna all fees exceeding one anna payable under Schedule II, upon other applications relating to licences or duplicates granted or renewed under the said rules (Notns, No 79 292/XI, dated the, 22nd Feb 1922, No 239 240 23 XI, dated the 5th Feb 1924)

44 When any arms, ammunition or military stores are deposited under section 16 of Act XI of 1878 as amended by Act XX of 1919, at a police station, the officer in charge of such station shall give the depositor a receipt signed by himself. If within 60 days from the date of deposit the owner fails to produce a licence authorizing him to take possession of them the arms, ammunition and military stores shall be forwarded to the head quarters of the district, where they shall be kept in such safe place as the Deputy Commissioner may direct. All arms, etc., deposited under section 16 will be at the owner's risk, and Government will not be liable for any injury they may receive.

45 The rules issued by the local Government under section 16 (4) of the Indian Arms Act for the disposal of arms deposited with licensed dealers are contained in Notification No 297 298 199 VI, dated the 1st August, 1922 (page 60)

46 Forfeiture or confiscation of arms—*Vide* Note to section 24 of the Act page 76, *ante*

47 Rewards to Informers—*Vide* Note to section 23 of the Act on page 81 *ante*

48 All licence forms to be granted under the Indian Arms Act, 1878 should be kept in the treasury under the treasury officer's lock until they are required for use.

49 It is undesirable to keep a large surplus stock of licence forms. District Magistrates should prepare their indents carefully and restrict them to a small margin over known requirements.

# 388 LOCAL RULES AND ORDERS [CENTRAL PROVINCES AND BERAR].

50. **Annual returns** on the working of the Arms Act for the calendar year in Forms IV, V and VI will be submitted by Deputy Commissioners to Commissioners by the 1st February in each year, and will be forwarded by the latter, in original, to the Secretariat not later than the 1st March. No regular report is called for, but the return should be accompanied by such explanatory notes as may be deemed necessary.

51. **Reporting of the loss, theft or recoveries of fire arms**,—See page 186 *ante*.

52. **Licences for weapons of prohibited bores**,—*Vide* Note (1) to Rule 7, page 90, and also Bengal Rule 58A, page 237 *ante*.)

Appendix C. of C. P. Local Rules

FORM I. (VIDE C. P. RULE 37, page 381).

*Register of licences in Forms IX, X, XI and XII, V, VI, VII and VIII, (to manufacture, convert, sell or keep and sell arms, ammunition or military stores) granted in the.....district during the year 19 .*

1	2	3	4	5		6
Serial No. of licence and date of issue.	Name of licence-holder.	Father's name, caste, etc.	Place of business.	Result of inspections		Remarks.
				By Magte.	By Police officers.	

(NOTE—Separate pages to be used for different forms of licences.)

FORM II (VIDE C. P. RULE 37, page 381.)

*Register of licences in Forms XIII, XIV, XV, XVI, XVIII, XIX, and XX, IX, X, XI, XII, XIII, XIV and XV (to possess arms and ammunition and to go armed) granted in the district of.....in the year 19.....to 19 .*

1	2	3	4	5					
Serial No. of licence.	Name and address of licence-holder.	Occupation and status of the licence-holder.	District, province or place within which licence is valid.	Arms possessed by licensee.			Date of issue or renewal.	Term for which licence is valid and date on which it expires.	Remarks.
				(1) Pistols and Revolvers.	(2) Guns	(3) Others weapons.			
				(a) Revolvers.	(a) Rifles.				
				(b) Automatic pistols	(b) B. L. smooth-bore guns.				
				(c) Other pistols and revolvers.	(c) Muzzle-loading guns.				

## FORM III

(VIDE C P RULE 31 page 379)

Certificate of exemption under section 27 of the Indian Arms Act (XI of 1878)

To

This is to certify that by virtue of your being a

the operation  
15 of that Act

(a) Cannon (b) Articles designed for torpedo service (c) War rockets  
(d) Rifles of 303 bore and 450 bore and revolvers and pistols of 441 455 or any  
intermediate bore (and ammunition which can be fired from the same) not lawfully  
imported into British India (e) Machinery for the manufacture of arms and  
Berar ammunition (f) Appliances the object of which is the silencing of fire arms

Dated } Seal District Magistrate,  
The day of 19 } —District

## FORM IV

(VIDE C P RULE 50 page 386)

Annual return regarding dealers in arms and ammunition and their transactions for the year ending the 31st December 19

District	Number of licences in force at the close of the year for manufacture, possession sale etc., in Form				Number of inspections made of premises made of stock etc during the year		Number* of transactions verified		Remarks
	IX V	X VI	XI VII	XII VIII	By Magistrate	By Police Officers	Transactions of dealers in this province	Transactions of dealers outside the province	
1	2	3	4	5	6	7	8	9	10

\* For filling up columns 8 and 9 see the orders contained in C P rule 40 page 383

## FORM V

(VIDE C P RULE 50 page 386)

Annual return regarding possession and carrying of arms for the year ending the 31st December 19

District	Number of licences in force at the close of the year in Form						Total Number of fire arms held by	Classification of the firearms shown in columns 8 and 9					Remarks
	XIV X	XVI XI	XVII XII	XVIII XIII	XIX XIV	XX XV		Licensees	Exemtees	Automatic pistols and revolvers	Rifles	Breech loading smooth bore guns.	Other firearms
1	2	3	4	5	6	7	8	9	10	11	12	13	14

# 390 LOCAL RULES AND ORDERS [CENTRAL PROVINCES AND BERAR].

NOTE.—Columns 7. In this column should be shown only Indians resident in the district who have been exempted from the provisions of the Arms Act under any of the side-heads in Schedule I of the Arms Act Rules.

Columns 8 to 13.—The number and classification of arms held by licensees and exemptees should be shown so far as obtainable from the registers in Forms II and VIII.

## FORM VI.

[VIDE C. P. RULE 50, page 386.]

Annual return showing the action taken under the Arms Act during the year 19 . . .

District.	Number of searches under the Act.	Number of firearms seized.		Number of prosecutions.			Number of cases of loss of fire-arms.	Number of crimes of violence in which firearms were used.	REMARKS.
		On search (a).	Otherwise (b).	Against dealers.	Against others.	For offences against the Act, other than breach of licence.			
1	2	3	4	5	6	7	8	9	10

FORM VII. Vide Note (35) to Schedule I of the Indian Arms Rules, 1924, page 140.

## FORM VIII. (Vide C. P. Rule 33, page 380.)

Form of Registers to be maintained for exemptees—Vide instructions issued by C. P. Govt. under Rule 3 (1) (b) of the Indian Arms Rules, 1924.

Serial number.	Name of exemptee.	Residence.	Why exempted	Number of arms, etc., registered.	Name of registered retainers.	Serial number of form in form file.	Initial of officer making the verifications.				Remarks.
							19	19	19	19	
1	2	3	4	5	6	7	8				9

FORM A.

(VIDE C. P. RULE 39, page 382)

Stock Account Book of \_\_\_\_\_ Son of \_\_\_\_\_ Caste \_\_\_\_\_, resident of \_\_\_\_\_, district \_\_\_\_\_, licensed to manufacture, convert, sell (or keep and sell) arms, ammunition and military stores

DESCRIPTION.																
1	2	3 FIREARMS				4 OTHER WEAPONS				5 AMMUNITION				6		
Date,		Rifles	Breach-loading guns	Other weapons	Pistols	Others	Swords	Bayonets	Daggers	Others	Rifle ammunition		Gun ammunition		Military stores	
											Shot	Ball	Shot	Ball		
	In Store— Added to Store— Disposed of— In Store —															

FORM B

(VIDE C. P. RULE 39, page 382)

Sale Book of arms, ammunition and military stores

1	2	3	4	5 ARMS SOLD			6	7
Date and month	Name of purchaser, father's name and caste	Residence of purchaser.	Under licence or exempt if under licence, number and date of licence and by whom granted	(1) Pistols and Revolvers.	(2) Guns	(3) Other weapons	Ammunition or military stores sold	Remarks Distinguishing marks or number on arms, ammunition and military stores and maker's names
				(a) Revolvers	(a) Rifles			
				(b) Automatic pistols	(b) Breach loading smooth bore guns			
				(c) Other pistols and revolvers	(c) Muzzle loading guns			

# 392 LOCAL RULES AND ORDERS [CENTRAL PROVINCES AND BÉRAR].

FORM C.

(VIDE C. P. RULE 38, page 382.)

Register of fees under the Arms, Motor Vehicles and Petroleum Rules.

Date of entry.	Name of each person from whom the amount is realised or to whom payment is made.	REALIZATION WITH OPENING BALANCE.				EXPENDITURE.		Daily closing balance.	VOUCHERS GIVEN FOR REFUND.			Acknowledgement receipt by each person to whom payment is made or to whom voucher is granted for payment from Treasury.	Serial number in Licence Register.	Initial of the officer granting or renewing the licence.	REMARKS.
		Fees under Arms Rules.	Fees under Motor Vehicle Rules.	Fees under Petroleum Rules.	Daily total.	Amount credited into the treasury.	Daily total.		Fees under Arms Rules.	Fees under Motor Vehicle Rules.	Fees under Petroleum Rules.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

FORM D.

(VIDE C. P. RULE 38, page 382.)—Form of Receipt.

Received Rupees (in figures and words)—From—Through—On account of—

- (1) grant  
renewal of licence in Form—under the Arms Act  
duplicate
- (2) grant  
renewal of Driver's or Owner's Permit under the Motor Vehicles Rules.  
duplicate
- (3) grant  
duplicate of registration certificates and registration of Motor Vehicles,  
grant
- (4) renewal of licence under the Petroleum Rules.  
duplicate

Signature or mark of person making payment.

Signature of officer receiving payment.

Date \_\_\_\_\_

## The Assam Local Rules and Orders.

- 1 Similar to Bengal Rule 31 *Vide* Note (16) Sch I, page 133  
 2 " " " 124  
 3 " " " 99, on page 245  
 4 " " " 5. *Vide* Note (4) to Sec 6 of the Act, page 48  
 5 " " " *Vide* Note (10) to Sec 5 " " " 47  
 6 " " " 6 and 7, *Vide* " (3) " " 6 " " " 50  
 7 " " " 85  
 8 *Vide* Notes (4) and (31) to Sch I, pages 128 and 135

9. **Firearms which are rifled are treated as rifles** and are subject to the rules and regulations applicable to rifles, *i.e.*, such weapons cannot be sold to persons holding licences to possess shot guns only and the dealers who have licences only for shot guns cannot stock and offer such (rifled) arms for sale. (Indian letter No F-21-X. 23 dated the 22nd May 1923).

- 10 Similar to Bengal Rule 48 *Vide* Note (2) to Sec I of the Act, page 41

11 The proviso to para. II. (ii) under the head "Fee" in Form XVI does not absolve the holder of a licence in the form who fails to renew the same prior to its expiration from the provisions of sec. 19 (f) of the Act, if after the expiration of the licence he remains in possession of the arms in respect of which the licence was granted. The effect of para II (ii) is to fix the fee payable in respect of the renewal of a licence and the fact that the licensing authority cannot charge the enhanced fee unless the application for renewal is made more than one month after the date of expiration, in no way affects his competence to order the prosecution of a licensee who while retaining possession of the arms covered by the licence does not apply for renewal of a licence till after, though less than one month after, its expiration. The licensee read with the relevant provisions of the Act only authorises the licensee to possess and go armed with the arms covered thereby, up to a certain date. If he should apply for renewal after, but less than a month after, that date, then, again without prejudice to the right to prosecution for unlicensed possession he would be charged ordinary renewal fee amounting to half the original fee (India No. F-21-XIX 24 dated the 16th May 1924.)

- 12 Similar to Bengal Rule 50 *Vide* Note (5) to Sec I, page 40  
 13 *Vide* Note (3) to Rule 33, page 107.  
 14 *Vide* para 6 of Resn No 829 I 1922 dated the 3rd Nov. 1923, page 25.  
 15 *Obsolete*

16. **Officers of the Indian (Imperial Police Service) may keep as part of their equipment one revolver or one pistol in addition to the revolver or automatic pistol prescribed in the uniform Regulations published with H. D. Notn. No F-717-22 dated the 22nd May 1924** (India No F-21-LXVI-25 dated the 15th June 1924.

17. *Vide* Notes (10) to (12) to rule 7, of the I A R, 1924, page 91

18 No 2443I dated the 1st June 1914. The provisions of the Indian Arms Act, 1878 (IX of 1878), are in force throughout the province of Assam except in the Lushai Hills. The attention of all officers of Government, and of all manufacturers, dealers, and owners of arms and ammunition, is hereby drawn to the provisions of the Act, to the Notification and Rules made by the Governor-General in Council as published in the *Eastern Bengal and Assam*

## LOCAL RULES AND ORDERS [ASSAM].

Gazette of the 8th September 1909, Part II, and to the following supplementary rules and instructions issued by the Chief Commissioner:—

(NOTE.—The operation of the Arms Act has also been barred in the Naga Hills by Notn. No. 6344, G. J. dated the 12th Oct. 1925) Assam Man. page 147.

(1) The registers prescribed by the Local Administration in accordance with section 17 (c) of Act XI of 1878 and the second condition of licenses in Forms XII, XIII and XIV are:—

(a) Monthly return of the stock and sales of arms and ammunition.\* (b) Sale book of arms (c) Sale book of ammunition. These registers should be in printed forms. In addition all licensed vendors must keep a detailed Stock account of arms and ammunition.

(2) \* \* \*

(3) The limit for the possession of sulphur without a license is 10 (ten) in all districts of Assam other than those on the external land frontier of British India (see Schedule II of the Indian Arms Rules, 1909). For quantities in excess of this limit held for bona-fide commercial purposes, licenses will be granted in Form XV.

(4) The limit for the possession of leaden bullets and bird shot without license in all districts in Assam other than those on the external land frontier of British India is 5 (five) seers.

(5) (a) Licensed vendors shall on the first day of each month submit to the Superintendent of Police a copy of all entries made during the preceding month in their sale books.

(b) If the monthly return is submitted regularly the shop will ordinarily not be inspected more than once a quarter; if the returns are not submitted regularly inspections will be more frequent. In no case will previous intimation be given of the intention to inspect. Inspection will ordinarily be made by Police officers, but District and Sub-divisional Magistrates should themselves frequently inspect the premises of licensed manufacturers and dealers in arms and ammunition.

(6) All Magistrates and Police officers not below the rank of Sub-Inspector are empowered, within the limits of their local jurisdiction, to enter and inspect the premises of licensed dealers in arms and ammunition, and examine their stock accounts and stock book.

(7) All arms, ammunition or military stores, deposited at a police station in accordance with the provisions of sections 14 and 16 of the Act, shall be at once sent to the Magistrate of the district in which the police station is situated. The Magistrate shall then store the arms, etc., in a place of safety.

(8) Police officers not below the rank of Inspector, and Mauzadars in the Assam Valley Districts, are hereby empowered to conduct searches for arms under section 25, Act XI of 1878.

(9) All arms, ammunition, military stores, vessels, carts, baggage, animals, boxes, packages or bales, or other articles forfeited or confiscated in accordance with the provisions of the Act shall ordinarily be disposed of by the District Magistrate at his discretion unless otherwise specially directed by the Governor in Council.

District Magistrates have discretion to sell such arms, military stores and ammunition to licensed dealers or other persons entitled to possess them.

(10) and (11) Rewards. Vide Note to sec. 28 of the Act under "Assam" page 81 [For "Rs. 100" for the grant of rewards for rifles, revolvers and any bore and a kind of modern pistol read "Rs. 200"]

(12) Vide Note to section 6 of the Act, page 49.

19. Sub-Divisional officers have been granted power to issue licences in Forms XIV, XVIII, XIX and XX in order that they should be enabled to renew licences in these forms, but they should not exercise the power of granting new licences in these forms without the previous approval of the District Magistrates. (Notn. No. 419 G. J. dated the 30th Jan'y 1921.)



20. The following classes of persons shall ordinarily be allowed a licence for one smooth bore on application and without further inquiry. (Assam Man p 150)

(i) Membership of any order established by the Crown, or the possession of a title conferred or recognised by the Government of India or of the Kaiser, Hind Medal or a certificate of honour. (ii) Members, past or present, of the Indian Army included in the list of Provincial Officers, (iii) Members, past or present, of the Indian Police, (iv) Members, past or present, of the Indian Revenue, (v) Members, past or present, of the Indian Customs, (vi) Members, past or present, of the Indian Forest, (vii) Members, past or present, of the Indian Marine Service or a commissioned Indian officer of the Imperial Service Troops in active service (viii) Pensioners official or non official, who before retirement, were included in the last three categories (ix) Members of the Auxiliary Force and the Indian Territorial Force, (x) Bishops, ordained priests, and ministers of the Christian religion the leading Adhikar Gosains, and the Sanyasins of the principal Dargahs (xi) Honorary Magistrates, (xii) Members of Local and Municipal Boards and members of the Union Panchayats under Bengal Act, V of 1876, (xiii) Mauzadars, (xiv) Goanharas Dalais and other recognised village headmen, (xv) Sarpanches and members of village authorities, (xvi) Legal practitioners, (xvii) Doctors on the medical register, (xviii) All persons hitherto exempted from taking out licences who do not fall in any of the above classes.

21. It should be left to the discretion of District Magistrates what agency they should employ for the purpose of satisfying themselves that applicants for gun licenses are fit persons to possess arms. Whenever previous enquiries are necessary however, they should be carried out promptly and in a manner which is neither inquisitorial nor calculated to wound the self esteem of the applicant. The special form of enquiry slip which was prescribed in Eastern Bengal and Assam Government letter No 3943-47 G, dated the 29th July 1909, has been cancelled. In order that it may readily be ascertained whether an application for a license has been previously enquired into and also to keep a check over such applications a Register of applications for licenses has been prescribed by the Local Government. The Register is to be maintained in manuscript in the office of all Deputy Commissioners and Sub-divisional Officers in the form prescribed at page 230 of Assam Manual, (Assam Man. page 151)

22. The district maxima which were laid down by the Assam Administration in 1916 for the issue of licenses were revised with the revision of the Arms Rules in 1920, which made them inoperative, and are now cancelled. Licenses for the protection of crops should be issued freely where the need is known to exist. (Assam Man page 151)

23. There is no limit in the plains district on the possession of ammunitions for shot guns or for .22 bore and target rifles. Particular of the amounts allowed should be endorsed by the licensing authority in the appropriate column of the license against each weapon. The maximum amount of ammunition which may be purchased or possessed during the year by the holders of licenses in form XV, XVI, XVIII, XIX other than persons belonging to the hill tribes is as follows,—

Smooth bore muzzle-loading or breech-loading gun	...	No limit.
Rifles of .22 bore or miniature target rifles	...	No limit.
Rifles of other bores	...	200 rounds.
Revolvers and Pistols	...	100 rounds.

The above **maxima** are fixed with the object of preventing licensees from purchasing large quantities of ammunition in excess of their legitimate requirements, but any person who can prove that he needs more than those standards may be given a license for a larger quantity of ammunition (Letter No. C. P.—53-384-87 G, J., dated the 28th January 1924) (*Assam Man. page 152*).

24. A **single license form** only is now necessary for all the weapons licensed, and not a separate license for each arm. The licensing authority may however issue a separate license for any weapons when the issue of a single license would cause inconvenience. (*Assam Man. page 152*).

25. *Vide* Rule 7 of the I. A. R. 1924, and Notes thereunder.

26. The prohibitions and directions contained in **Sec. 15 of the Indian Arms Act, 1878**, are retained in respect of **air pistols** of the kind specified in entry 2 (iii) of the table in Schedule II of the I. A. R, 1924, in all districts in the province of Assam and no person in the province shall have in his possession an air pistol of the kinds, except under a licence and in the manner and to the extent permitted by the aforesaid entry. (*Assam Man. page 153*).

27. **Licenses for watchmen** may be granted in Form XVI and for cash guards in Form XX. The former should be granted by the Magistrate of the district in which it is required, the latter, in the case of cash brought from Calcutta by the Commissioner of Police, Calcutta; in other cases by the Magistrate of the district from which the journey begins.

N. B.—Journey license can only be given to persons already licensed to possess arms.

28. **Guns having maker's name and number** marked need not be stamped with the district number, as it will be enough to enter in the register the maker's name and register. All other guns should be stamped with the district initial and number on the underside of the barrel. The mark's should be examined at the time of the renewal of the licence. (*E. B. and A. No. 3537 Pl. of the 8 Novr. 1911 and Assam Man. page 153-154*).

#### Marking of Arms.

District initial letters are as follows:—

Name of district
Cachar
Darrang
Garo Hills
Goalpara
Kamrup
Lakhimpur
Nowgong
Sibsagar
Sylhet
Naga Hills
Sadiya Frontier Tract
Balipara Frontier Tract
Lushai Hills
Khasi and Jaintia Hills

District initial number.

C.
Dr.
G. H.
Go.
K.
L.
No.
S.
Sy.
N. H.
S. F. T.
B. F. T.
L. H.
K. H.

29 A licence in form No XX merely authorises the holder to travel armed from one place to another and does not convey any authority to shoot at any place traversed by him in the course of his journey This should be specifically explained to applicants for these licences at the time of issue Any person who wishes to use or possess his firearms outside the district or province for which it is licensed in form XVI must get the licence made valid by the licensing authority under rule 33 of the Indian Arms Rules, 1924, for the district or province, as the case may be, which he visits in the course of his journey (*Assam Man page 154*)

30 Vide Note (7) to Sec 5 page 47

31 All-India licences should be as and accordingly under Rule 33 (2) of the Assam is no longer excluded from the scope Orders have been issued under Rule 33 (3) licences granted outside Assam shall not be valid in Assam until countersigned by a licensing authority of the province and that no licence shall be valid in any area that may from time to time be declared a Back ward Tract under Sub section 2 of section 52 A of the Government of India Act until countersigned by the District Officer or Political officer concerned When, therefore, licensing authorities in this province issue licences with provincial or All-India validity, the Backward Tracts in Assam should be expressly excepted and they should enter in the appropriate column of the licence the words 'Assam except the Back ward Tracts' or 'All India except the Back ward Tracts in Assam, as the case may be' (*Assam Man page 155*)

32 Under Rule 33 (3) of the Indian Arms Rules 1924, a licence granted by a licensing authority outside the province of Assam shall not be valid in Assam until countersigned by a District Magistrate in Assam and no licence whether granted within or without Assam shall be valid in any territory that may from time to time be declared under Sub section 2 of Section 52 A of the Government of India Act a backward Tract until countersigned by the District Magistrate of such tract (*Assam Man page 155*)

NOTE—The following tracts in Assam have been declared to be back ward tracts —

1 The Garo Hills District 2 The British portion of the Khasi and Jaintia Hills District other than the Shillong Municipality and Cantonment 3 The Mikir Hills (in the Nowgong and Sibsagar District) 4 The North Cachar Hills (in the Cachar District) 5 The Naga Hills District 6 The Lushai Hills District 7 The Sadiya Frontier Tract 8 The Bahpara Frontier Tract 9 The Lakhimpur Frontier Tract

33 License in forms XV, XVI, XVIII and XIX are granted for a period of from one to three years When the period is nearing expiry, if the arms covered by a licence are still in the holder's possession, he should apply for renewal of his licence. Such an application should be addressed either to the authority who granted the licence or the nearest District or Sub divisional Magistrate according to which officers headquarters are nearest to the holder's place of residence for the time being Production of

is not necessarily demanded before a licence is renewed, but it should be understood that it rests with the licensing authority to demand this if he deems it necessary. The original licence should of course, accompany all applications for renewal. In many cases personal application will be found most speedy and convenient and are therefore encouraged where persons reside at head-quarters stations or in cities and towns or in country districts where the Deputy Commissioner or Sub-divisional officer arranges to renew licences on tours but there is no objection to the submission of these applications through the post. Fees for renewal are usually half the original fees. In this connection it should be noted however that licensing authorities have discretion to levy fees at the original rates in respect of renewals where the application for renewal is not received within month following the date of expiry of the licence and where there is no sufficient excuse for the delay (Assam manual para. 16-)

**34. Instructions for the interchange of information between the authorities granting or renewing the licence with a view to accurate maintenance of Arms registers :—**(Assam man. page. 157.)

(1) The authority who originally granted a licence will communicate all *changes of residence* which are reported to him to all subsequent renewing authorities of whose existence they must necessarily be aware if the requirements of proviso (c) to rule 42 (3) of the rules have been observed.

(2) An authority renewing a licence in Form XVI which was not originally granted by him but which is valid within his jurisdiction will communicate information of renewal and of the period for which the licence is valid to the authority who originally granted the licence and also, if it has subsequently been renewed by one or more intermediate authorities, to the authorities who last renewed it. If the licence holder has permanently taken residence within his jurisdiction he will also transfer the weapon to his own register and inform the granting and intermediate renewing authorities that he has done so. The last previous renewing authority will thereupon strike the weapon of his register with a note. "Transferred to ....." whilst the authority which originally granted the licence will similarly note the title of the last renewing authority. Where the change of residence is temporary the only action required is that stated in the first sentence of this paragraph.

(3) The above instructions do not apply to the case where application is made for the renewal of a licence not valid within the jurisdiction of the authority to whom application is made. In such a case the correct procedure is to issue a new licence.

(4) A similar procedure to that described in para. 2 above may be adopted in cases in which a licence in form XVIII or XIX which is valid throughout a district was granted by the Deputy Commissioner and is renewed by the Sub-divisional officer or *vice versa*.

35-36. Similar to Bengal Rule 106, page.

**37. All vendors in Assam are required to maintain a stock register and sale registers.** A copy of all entries made in the sale registers will be sent to the Superintendent of Police, in whose district the vendor resides, on the first day of each month. On receipt of these copies, the Superintendent of Police will compare the entries with the list of persons licensed to possess fire-arms and of persons exempted from the provisions of the Arms Act, in order to ascertain whether the purchaser is authorised to possess a weapon of the kind purchased, or of the calibre corresponding to the ammunition purchased. He should also in the case of all

purchases of rifles, revolvers and pistols and of ammunition for this class of weapon ask the purchaser to report whether he has purchased a weapon or any ammunition and to specify the character and number of the weapon the character and quantity of ammunition purchased, and the name of the supplying firm. In calling for this information care must be taken not to disclose to the reported purchaser the nature of the entries made in the vendor's register. The enquiry may either be made by letter or by sending a police officer to the spot.

38 On the receipt of a copy of an entry relating to the sale of arms or ammunition to a person who resides in another district, the Superintendent of Police will forward to the Superintendent of Police of the district where the purchaser resides a sale verification slip\* containing all necessary particulars in regard to the entry in question and the latter officer will have the necessary enquiries made and report the result.

39 The copy of the sale register contains a column for remarks. In this column will be noted any action taken and the result of any enquiry made in regard to any entry and a reference will be made to any correspondence which has taken place in regard to it. The monthly copies of the sale register should be kept together in a file so that Inspecting Officers may judge readily whether the Superintendent of Police has dealt with them properly.

40 Arrangements have been made under which all verification sale slips should be forwarded direct by the authorities of other provinces to the Superintendents of Police or Deputy Commissioner in charge of Police of the District in which the purchaser resides. A sale verification register should be maintained in the offices of all Superintendents of Police and Deputy Commissioners in charge of Police to show the results of the verification of sale of slips sent from other provinces as these slips are returned to the province of issue. The register should include all sales made to persons resident in the district, both from another district within the province and from places outside the province. Care should be taken that it does not include the details of sales made by licensed vendors in the district itself to persons resident within that district. This register should be carefully inspected and checked by the Superintendents of Police monthly and they should also watch sales and make inquiries into important items from time to time.

41 In addition to the verification of sales the stock of arms and ammunition in the possession of vendors must be periodically inspected and checked and the registers prescribed under the rules examined, to see that they are correctly kept up and totalled and that the stock tallies with the balance as shown in the books and that in no case the sale to one person exceeds the maximum which he may legally possess. The inspecting officer should also from time to time compare the monthly return of sales submitted to the Superintendent of Police by the vendors with the entries in the sale register.

have been issued shall be stamped with the letters N. H. and with a number, and the make and the description of the weapon shall be entered into a register. This rule, however, does not apply to weapons held under licenses made valid under rule 2 provided that such weapons bear a maker's name and number in which case the maker's name and number, and the description of the weapon will be registered. (4) The possession of arms or ammunition without a licence and the breach of any of the conditions of a licence granted or made valid under these rules shall be punishable with imprisonment which may extend to two years or with fine or with both. (5) Licenses shall be granted in Form XVI of the Indian Arms Rules, 1924, subject to such alterations and notifications as the Deputy Commissioner may decide. (6) There shall be no fee for the issue of licenses or for the renewal of licenses of muzzle-loading weapons. The initial fee for the grant of a license for a breech-loading weapon shall be Rs. 10 in the case of a pistol or revolver, and Rs. 5 for any other weapon. The annual renewal fee shall be Rs. 5 for a pistol or revolver and Rs. 2-8 for any other breech-loading weapon provided that the Deputy Commissioner may permit the holder of a breech-loading weapon to renew his license for any period upto 3 years on payment of the combined renewal fees for the period. (7) Every license granted under Rule 1 may contain a clause to the effect that the weapon covered by the license may be used by all the male members of the village, clan or kindred as the case may be. (8) The Deputy Commissioner may grant licenses to approve persons for the sale of ammunition. The form of vendor's license shall correspond as far as possible to Form X of the Indian Arms Rules, 1924 and the fee for such license shall be Rs. 10 annually. Such persons shall sell ammunition in accordance with the instructions issued from time to time by the Deputy Commissioner, and any breach of such instructions shall be punishable with imprisonment which may extend to two years or with fine or with both. (9) All persons holding licenses issued under Rule 1 shall purchase ammunition only at the shops and from the persons approved by the Deputy Commissioner under Rule 8, and on written authority from the Deputy Commissioner or, in the case of the Mokokchung Sub-division, from the Sub-divisional officer. (10) The Deputy Commissioner may delegate to the Sub-divisional officer, Mokokchung, and withdraw from him any or all of the powers given by these rules. (11) The Deputy Commissioner may from time to time issue instructions in conformity with these rules for the purpose of the control and supervision of arms and ammunition within the district.

58. *Notification No. 664-G. J. dated the 17th February 1923.*— Under condition 12 of licenses in Forms IX and X of Schedule VIII of the Indian Arms Rules 1924, the aforesaid condition is applied to :—

(a) any member of a hill tribe residing in the Naga Hills, the Lushai Hills, the North Cachar Hills, the Sadiya Frontier Tract, the Balipara Frontier Tract and the Lakhimpur Frontier Tract; (b) Thibetans; (c) Bhutias; (d) Transfrontier Nagas.

It will now be illegal for a vendor to sell ammunition to a **Hill-man of the tribes** mentioned in the Notification No. 664 G. J. dated the 17th Feb., 1923, except on the production of a permit signed by the Deputy Commissioner or Sub-divisional officer of the District or Sub-division the Political officer or Assistant Political officer of the Frontier Tract. in or on the border of which the hillman resides. The maximum quantity of ammunition for which permits should be issued to one person in a year is  $\frac{1}{2}$  lb of gunpowder, 60 caps and 1 lb shot, or 50 cartridges.

As regards the members of the Hill tribes mentioned in Notn. No. 664 G. J. dated the 17th Feb. 1923. the present scale of ammunition for which permits should be issued to them, which was fixed in para. 2 of letter No. 683-86 G. J. dated the 20th Feb. 1923, will remain in force until further orders.

59. A licence granted by a licensing authority outside the province of Assam shall not be valid in Assam until countersigned

by a District Magistrate in Assam and that no licence whether granted within or without Assam shall be valid in any territory that may from time to time be declared under sub section 2 of section 52 A of the Government of India Act of backward tract until countersigned by the District Magistrate of such tract—  
*Vide page 397.*

60. No gun licences should in future be issued to the Hillmen of the North Lakhimpur Sub-division unless with the approval, previously obtained, of the Political officer, Balipara Frontier District

61. North Cachar—The Chief village authorities may not try cases under the Arms Act. On the occurrence of any offence under the Act within their local limits the inhabitants of the village shall at once, if possible, apprehend the offender, and in any case shall at once inform the chief village authority, who, if the offender has not been apprehended, shall proceed without delay to the place where the crime occurred and inquire into the matter. He shall further, as soon as possible report any such offence to the Sub-divisional officer or other duly authorised officer whether the offender has been apprehended or not

62. Indian states—Manipur—The Indian Arms Act is in force in the British Reserve in Manipur. It is not in force in the rest of the State. The inhabitants were disarmed in 1891 and no arms are allowed except under license from the Political Agent. The hill tribes are allowed arms under license from the President, Manipur State Council, at the rate of one gun for every fifteen houses in the village. The President has permission to import ammunition for these guns. The scale allowed is one-half pound of powder, one half pound of shot and fifty caps per gun per annum. The President keeps 20 guns which are State property and are issued on loan when necessary to keep down the number of wild animals. British subjects wherever they reside are expected to get licences from Political Agent. They can buy ammunition from the President. (Assam man. page 168)

63. Licenses for firearms granted by the Manipur authorities do not permit the carrying of arms into British territory. If hillmen from Manipur cross the border they must leave their firearms behind them. (Assam man p 169)

64. Khasi States—Siems, their subject and other residents in the same independent States of Khasi Hills shall not purchase arms without the permission of the case of rifles, that of the legally obtained only on permits and from licensed vendors in Assam

65. The Sardar of Jirang and the Siems of Bhowal and Malai sohmal exercise the power to issue licences for old guns. It is desirable however that the Deputy Commissioner should be able to know what is being done in the matter of the issue of gun licences and orders should be issued to all Siems, Sardars and Lyngdohs to open a register, which shall be open to inspection by the Deputy Commissioner, giving necessary details as prescribed.

The Principal points for general inspection are given below :—

1. Compare number of existing licences with previous years, and indicate cause of divergence. 2. Compare proportion of licences issued in different forms with previous years. 3. Are guns produced and returned punctually? 4. Are steps taken punctually, when guns are not produced for inspection on the date fixed? What steps? 5. Are licences renewed promptly and returned promptly to the licensee? Does the Magistrate renew licences in the interior while on tour after issue of notices to licensees to assemble at suitable centres? 6. Does the Majmal map recording the distribution of guns show that guns are equitably distributed in the localities which require them? 7. Are new guns duly punched and numbered? 8. Is the guard file of firearms in possession of exempted persons up to date? 9. How many guns are there at present in the *Malkhana*? Why are they there? 10. Are confiscated arms and ammunition properly disposed of as laid down at pages 148 and 171 of the Arms Manual (*Vide* para. 1 on pages of this Manual)? 11. Are applications for gun licences promptly and suitably disposed of? 12. Are licences ordinarily allowed without inquiry as laid down in para. page? What inquiry is made in other cases. 13. How many cases have been there under the Arms Act? 14. Notes as to the propriety of the result and of the sentence. 15. Have rewards been paid in connection with these cases? If not, should not rewards have been given? If paid, were they paid promptly? 16. Are the orders regarding a close season promptly carried out? 17. Are all arms and ammunition shops situated only at district and sub-divisional head-quarters. Note dates of inspections during the last year and names and designation of officers. 18. Have inspection of shops been made regularly by the police? 19. Has the District Magistrate or Sub-divisional Officer inspected the magazines or other receptacles for the storage of arms and ammunition? 20. What steps are taken to prevent vendors from selling to licensees ammunition in excess of the prescribed quantities? 21. What is the state of the magazines? Do they fulfil the conditions of the license and is the stock of ammunition within the prescribed limits? Compare the sale of arms, ammunition and military stores for the last two years and account for any marked variation. 22. Are any explosives used exclusively for blasting kept in the district? If so, state under what conditions and in what quantities. 23. What licenses have been given for the manufacture, possession and sale of fireworks, and in what forms? 24. Have the premises of these vendors been inspected by the police? Note the dates of inspection during the past twelve months.

**A Brief Explanation of the Indian Arms Rules, 1924, affecting the possession of arms by private individuals with special reference to Assam.** The paragraphs generally follow those printed on page 31 to 37 with modifications to suit the provincial requirements. Under para. 2 (i) the Assam Govt. has prescribed the following rules.

1. Every exempted person shall enter all arms in his possession in the form prescribed (page 178 of the Assam manual) and shall forward the same to the District Magistrate of the district in which he ordinarily resides. The form may be obtained on application from the office of the District Magistrate. 2. An exempted person shall forthwith report to the District Magistrate in the aforesaid form any subsequent increase in the number of arms in his possession. He shall similarly report any reduction in the number already registered due to sale, loss or theft of arms in his possession. He shall also report any change in class due to the conversion of any such arms. 3. An exempted person shall report any permanent change of residence to the District Magistrate of the district where he originally registered the arms in his possession under rule 1. 4. An exempted person arriving from another province for permanent residence in this province shall register the firearms in his possession in the manner prescribed in rule 1 above. 5. Failure to comply with these rules shall render the exempted person liable to the cancellation of his exemption. [The persons who are eligible for life certificates are mentioned on page 37.]

Reference to Cases referred to on pages 187-201..

1. 9 Bom. 518	Hira Patel
2. 21 Mad. 360	Jayaram Reddi
3. 7 Mad, 70	Vyapuri Kangan
4. 34 Cal. 749	Satish Chandra Roy

<i>Vide</i> Note (15) page 41	
" (5)	42
" (10)	42
" (41)	45



5.	L.B. Ruling 556 of 1903	Nga Kya Nya	„	(25)	44
6.	3 C. W. N. 394	Kali Nath Singh	„	{ (2)	61
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7.	20 Cal. 444	Kishemwa	„	(1)	61
8.	20 Cal. 444	Prahhat Chandra Choudhuri	„	(60)	68
9.	24 All. 454	Harpai Rai	„	(61)	68
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12.	24 Bom. 423	Tyahali	„	(2)	73
13.	15 All. 129	Sangam Lal	„	(58)	68
14.	27 Cal. 692	Ahmed Husain	„	(63)	69
15.	36 Cal. 433	Brajendra Kishor Rai Choudhuri	„	(4), (5), (6)	77
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17.	42 „ 1153	Harsha Nath Chatterji			42
18.	15 C. W. N. 440	Akhil Nath Datt			52
19.	19 „ 706.	Khagendra Nath Chaudhuri.			

Pages 202 to 210 of the Assam Manual give a Summary, with reference to condition 10 of Licence form XVI, (page 179), of the restrictions on shooting outside reserved forests, and pages 211-231, the forms of retainers, etc., prescribed under the rules in force in Assam.

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